



CITY OF HAYWARD AGENDA REPORT

Meeting Date: 10/20/05
Agenda Item: 2

TO: Planning Commission

FROM: Richard Patenaude, AICP, Acting Planning Manager

SUBJECT:

- I. General Plan Amendment (PL-2004-0184) - Request to Amend the General Plan Land Use Map Designation from "Industrial Corridor" to "Residential - Medium Density;"**
- II. Specific Plan Amendment – Request to Amend the "*South of Route 92/Oliver & Weber Properties Specific Plan*" from "Light Manufacturing/Business Park" to "Planned Development;"**
- III. Amendment to the Mount Eden Business and Sports Park Community Development Agreement;**
- IV. Zone Change – Request to Amend the Zoning District from "Light Manufacturing and Business Park " to Planned Development in Order to Construct 139 Small-Lot Single-Family Homes and a Multi-Family Development of 122 Dwelling Units; Request to Approve the Preliminary Development Plan for the Planned Development;**
- V. Vesting Tentative Map Tract 7489 for a Small-Lot Single-Family Development of 139 Homes and for a Multi-Family Development of 122 Dwelling Units;**
- VI. Revisions to South of 92 Development Guidelines to address the change from Light Manufacturing and Business Park to Residential on a portion of the Oliver East property under the Specific Plan;**

Duc Housing Partners, Inc. – Applicant/Owner

The project site is located west of Marina Drive and on either side of Eden Shores Boulevard on property known as "Oliver East."

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council approve the Mitigated Negative Declaration and Mitigation Monitoring Plan and the development applications, subject to the findings and conditions of approval.

BACKGROUND:

In 1998, the City Of Hayward certified the Final Programmatic Environmental Impact Report (EIR) for the South of Route 92 General Plan Amendment and Specific Plan for the Oliver Estate/Weber Properties. The City also adopted the "South of Route 92, Oliver & Weber Properties, Specific Plan" and took other related actions to amend the City's General Plan, adopt Development Guidelines, and to pre-zone and rezone properties covered under the Specific Plan, including properties commonly referred to as "Oliver West" and "Oliver East." The Oliver East property was pre-zoned, with portions of the property to be zoned Light Manufacturing, Commercial Retail, Business Park, and Open Space (to allow for development of the sports park). In 1999, the City approved and executed the Mount Eden Business and Sports Park Community Development Agreement in connection with the Oliver properties, and approved a Vesting Tentative Map (VTM) for Tract 7065 (including both the Oliver West and Oliver East properties). The Development Agreement, among other things, authorized the residential development on Oliver West and the development of Oliver East for light manufacturing, business park, and commercial retail uses.

The specific plan area is bounded by Hesperian Boulevard to the east, Old Alameda Creek to the south, the Baumberg Tract and the Standard Pacific Homes development to the west, and Old Arden Road/Industrial Boulevard and the Baumberg neighborhood to the northwest. See Attachment A, which delineates the Specific Plan area and illustrates how it consists of three discrete areas. A railroad right-of-way divides areas of development, with residential uses provided for on the westerly side of the right-of-way in the area indicated as Oliver West. On the area known as "Weber," areas designated for light manufacturing and wetlands were established. On lands referred to as "Oliver East," the specific plan provides for light manufacturing, a business park, a sports park, and commercial uses.

Since the City's original approvals, the Oliver East property has been annexed to the City and the Alden E. Oliver Sports Park of Hayward has been constructed. Infrastructure for the development of the Oliver properties has been undertaken. Residential construction of Oliver West has proceeded and is substantially complete. A final subdivision map for Tract 7065 (Eden Shores—Oliver East) was approved by the City and recorded. The property within the final map for this tract on Oliver East (east side of Eden Shores), exclusive of the sports park parcel (developed with the new sports park), is zoned Business Park, Light Manufacturing and Commercial/Retail.

The applicant, Duc Housing Partners, Inc., indicates that subsequent to the adoption of the specific plan, there has been a downturn in the real estate market for commercial, office and industrial properties at the same time the market has seen an increasing demand for housing. Accordingly, the applicant is seeking to develop that portion of Oliver East designated as "Light Manufacturing" and a limited portion of the area designated "Business Park" with housing. This area is west of Marina Drive and straddles both sides of Eden Shores Boulevard.

I. General Plan Amendment

The applicant is requesting to amend the General Plan Land Use Map from a "Light Manufacturing and Business Park" designation to "Residential – Medium Density" in order to develop two distinct neighborhoods yielding 261 homes. One of the neighborhoods is on the west side of Marina Drive north of Eden Shores Boulevard and consists of 17.7 acres. It is proposed to be developed with single-family lots typically 2244 square feet in size, consisting of 139 homes at a density of 10.7 dwelling units per net acre. The second neighborhood, also on the west side of Marina Drive and south of Eden Shores Boulevard, consists of 11.4 gross acres and is proposed to be developed with 122 multi-family condominium townhouse units at a density of 14.0 dwelling units per net acre. Both projects are immediately east of the railroad right-of-way.

The General Plan identifies the community's environmental, social and economic goals, and states the City policies on the location and characteristics of future development. Therefore, when assessing the appropriateness of amending the General Plan, identifying the City's overall goals is a significant consideration as well as the characteristics of the land and its surroundings.

In the General Plan under Economic Development Policies and Strategies are the following policies (Pg. 4-17):

Land and Infrastructure

- 1. Create a sound local economy that attracts investment, increases the tax base, creates employment opportunities for residents and generates public revenues.**
 - A. Ensure that an adequate supply of land is zoned for industrial and business park uses; limit uses that would erode the integrity of the Business and Technology corridor.
 - B. Promote and protect the appearance of the Business and Technology corridor to encourage quality development.

Employment Opportunities

- 2. Facilitate the development of employment opportunities for residents.**
 - A. Promote commercial and industrial development to create and maintain the maximum job opportunities for area residents.

Housing Program and Five-Year Implementation Plan

"Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels."

The appropriateness of the site for housing is a significant consideration. In this instance, the loss of a portion of industrially zoned land must be weighed against the benefits of housing, of which there is a shortage in the Bay Area and in Hayward.

Favoring the development of housing is the fact that there is housing to the west side of the project site and a sports park to the south. The Oliver West housing has been successfully developed under the Specific Plan. Also, with respect to the loss of industrial land, the Industrial Corridor comprises over 3,500 acres of land along the western and southern edges of the City. Approximately 400 acres representing 11.4 percent of the total land area in the Industrial Corridor are classified as vacant land. The Association of Bay Area Governments projects a surplus of Hayward jobs over the number of employed workers per Hayward household, and this indication would lend support to the use of industrial land for residential purposes. The availability of supporting infrastructure, such as schools and shopping, is a consideration, as is noise since the property is adjacent to a railroad right-of-way. The written policies in the City's General Plan, indicated below, provide guidance in these areas.

The General Plan policies stress the importance of protecting and developing suitable locations for businesses but also emphasize the need to make adequate provision for the housing needs of all economic segments of the community as stated in the following policies:

Schools and Parks

The General Plan has the following stated policy: "Advocate the pursuit of academic excellence and the establishment of high standards for physical facilities in the local public schools." Lorin Eden Elementary School would serve the elementary school children from this project. Based on updated generation factors from the School District, the project would add 26 elementary students, 8 middle school students, and 13 high school students. The School District does not foresee a school capacity problem with respect to the project as students can be "redirected" to other schools should capacity problems arise. Mechanisms in place to offset impacts to schools include developer school impact fees and property tax revenue. The applicant is required to pay statutory development fees, as discussed later in this report. Currently the fee for residences is \$2.62 per square foot.

The General Plan has a stated policy to "Seek to increase the amount, diversity, and quality of parks and recreational facilities and opportunities." The requirement for dedication of park lands calls for the applicant to dedicate either land for park purposes or to pay park in-lieu fees in the amount of \$11,953 per single-family dwelling and \$9,653 per multi-family unit. The City's land dedication requirement (5.0 acres per 1000 population) for 261 homes with an estimated population of 827 new residents is 4.3 acres. In addition, the entire residential project includes 3.85 acres of landscaping (landscape buffers, walkways and trails) and 3.55 acres of active recreational amenities such as linear parks, tot lots, play areas, barbecue areas, sitting areas with benches. Open space areas total 7.4 acres. The applicant expended \$7 million towards development of the Alden E. Oliver Sports Park, which amount exceeded the original City requirement for Oliver West, and satisfies the applicant's obligation with respect to park dedication in lieu fees for Oliver East.

Noise

The General Plan policy on noise is "The City will seek to protect the public health, safety, and welfare against the adverse effects of excessive noise." A noise analysis was prepared for the project. The primary noise source is from the railroad tracks abutting the property to the east. On weekdays there are a total of 29 train passages, and weekend days approximately the same number. Freight train passages occur once every several days. There is also the possibility of noise coming from future truck traffic associated with land zoned for Business Park and from the sports park to the south. The City's goal for acceptable noise within indoor areas is an L_{dn} of 45 dB, and for outdoor areas, 55 L_{dn} for single-family developments and 60 L_{dn} for multi-family. Based on the noise analysis conducted for the project, various noise mitigations were documented to achieve the L_{dn} of 45 dB, including: the construction of an 18-20 foot sound wall; sound-rated doors, windows and exterior wall assemblies; and a minimum 160 foot setback from the train tracks to the nearest single and multi-family units. The sound wall is located approximately 75 feet from the nearest single-family homes (with the exception of two homes) and 125 feet from the multi-family units. For outdoor areas, the 5 to 6 dB of acoustical shielding for second floor balconies of the townhomes provided by the sound wall would yield approximately 10 dB of shielding to ground level areas, based on a worst case L_{dn} of 72 dB during train passages. The adjusted L_{dn} for at the second floor balconies nearest the train track would be approximately L_{dn} 50 dB, meeting the City's outdoor noise standard for multi-family developments. At the ground floor activity areas, the adjusted L_{dn} would be approximately 45 dB, 10 dB less than the City's standard. This is the same adjusted noise level that would occur at the linear and pocket parks of the single-family development, thus meeting the City's standard for these units. It should be noted that the visual effects of the sound wall will be mitigated by landscaping on the residential side of the wall consisting of evergreen and large canopy trees maturing to heights over 40 feet, large shrubs, and Boston Ivy partially covering the wall itself.

II. Specific Plan Amendment – Request to Amend the “*South of Route 92/Oliver & Weber Properties Specific Plan*” from “Light Manufacturing/Business Park” to “Medium Density Residential”

The “South of Route 92/Oliver and Weber Properties Specific Plan,” adopted by the City Council on January 30, 1998, addresses approximately 333 acres of land. The Specific Plan calls for approximately 81.5 acres of land to be devoted to housing. The amendment of the Specific Plan would change the use of 27.6 acres of land devoted to light manufacturing and 1.6 acres of land devoted to business park to housing. The proposed amendments to the Specific Plan, including underscoring and strike-outs, are attached as Exhibit D.

III. Amendment to the Mount Eden Business and Sports Park Community Development Agreement

The amendment to the development agreement addresses several items, including: (1) the change in use from Light Manufacturing and Business Park uses to Residential; (2) the establishment of a landscape and lighting district (LLD) with an annual assessment of \$160 per residential lot or unit (indexed to San Francisco Bay Area cpi) for the purpose of providing partial funding for the ongoing maintenance of the neighborhood serving features of the sports

park complex such as picnic tables, basketball courts, barbeque areas and soccer fields; (3) an acknowledgement that the \$7 million paid for construction of the sports park and the establishment of the LLD constitute complete satisfaction of obligations for parkland and open space; (4) the applicant has voluntarily agreed to the school impact fee of \$3.25 per square foot which is in excess of the current fee of \$2.62; and (5) a voluntary contribution of five million dollars toward the construction of the new Burbank School in the Cannery Area.

The amended Development Agreement is consistent with the General Plan, as amended.

IV. Zone Change Application

The following will include: a discussion of development in the area surrounding the project; review of the site plan; and review of circulation and parking issues, pedestrian circulation and landscaping issues, and architectural aspects of the project. Approval of the zone change and preliminary development plan will cover these items.

Development on Surrounding Properties

The applicant is requesting a zone change from Light Manufacturing and Business Park to Planned Development. A conventional zoning district, such as RS (Single-Family Residential) would not apply because the housing proposed on the northern side of Eden Shores Boulevard consists of a detached housing product (single-family housing) on small lots, more akin to an attached townhouse-style development. This area is hereafter referred to as Housing Area A. Because there presently is no zoning district that addresses the small-lot type of single-family development, the applicant is seeking Planned Development zoning. The same zoning designation is requested for the multi-family housing proposed on the south side of Eden Shores Boulevard, although a standard RM (Medium Density Residential) zoning designation would also serve the purpose of supporting the proposed attached housing. This area is hereafter referred to as Housing Area B.

It should be noted that the proposed development represents a new type of housing product, possibly a trend, with moderate size housing (up to 4 bedrooms) on small lots with no driveways. Accordingly, the number of parking spaces provided per dwelling unit in such developments needs careful evaluation, which staff hopes to undertake in the coming year.

Housing Area A – Site Plan

The small-lot single-family development area consists of 139 detached single family-units on lots that are at least 2000 square feet each (typical lots are 2244 square feet). The project is oriented so that the front entries face Marina Boulevard, with approximately 33 feet of landscaping between the entries and Marina Drive. There are 2 primary entries off of Marina Drive which also offer access to the future Business Park parcels to the east. A third entry would be off of "D" Street. Emergency vehicle access will be provided throughout Area A and to Industrial Boulevard via Marina Drive. All of the streets in the project as well as the alleys that access the residential garages will be private and maintained by a homeowners association.

The nearest single-family homes are approximately 75 feet from the sound wall, 125 feet from the railroad right-of-way, and 160 feet from the railroad tracks. Much of the area between the housing and the railroad right-of-way consists of a 30 inch buried gas line, a flood wall, and a City and County of San Francisco pipeline and conduit easement. On the easterly side of the project, there is a 33 foot separation proposed between the housing and the adjacent land zoned "Business Park." This distance represents the public service easement required in the Specific Plan for "B" Street (Marina Drive) and for "D" Street. "D" Street, which in the Specific Plan served to provide access to light manufacturing and business park uses and separate these uses from each other, now has residences on the west and business park uses on the east side. Staff supports the Specific Plan use of the 33 feet setback along the residential side of "D" Street and conditioning the project to require the 33 feet setback here. The rationale in the Specific Plan was that light manufacturing and business park uses needed this amount of setback because of the inherent conflicts between the two uses (light manufacturing noise, truck traffic, etc.). The rationale holds true for residential uses as well since residential uses are not normally found in business parks. Ensuring consistency with other setbacks in the Oliver East proposed residential development, the applicant has agreed to extend the 33 foot setback to the residences fronting "D" Street and this setback will be shown on drawings at the Precise Plan stage.

Housing Area B- Site Plan

The nearest multi-family units are 125 feet from the sound wall and railroad right-of-way and 160 feet from the railroad tracks. The multi-family portion of the project consists of 122 townhouses that are at least 1508 square feet. The units in Area B are oriented to Marina Drive on the east, the berms of Eden Shores Blvd. on the north, and to internal streets on the south and west sides. As in Area A there is a 33 foot landscaped buffer between the units and Marina Dr. A 33 foot buffer is also provided along Eden Park Place. Entries to Area B would be off of Marina Dr. and Eden Park Place. Emergency vehicle access would be provided throughout Area B and to Industrial Blvd. via Marina Drive.

Circulation and Parking

Traffic

DKS Associates, Transportation Consultants, prepared a traffic analysis for the project, which was reviewed by City of Hayward transportation planning staff and was based in part on the 1997 South of Route 92 General Plan Amendment & Specific Plan, Oliver Estate/Weber Properties Program EIR. There would be 51 fewer trips in the AM peak hour and an increase of 8 trips in the PM peak hour compared to existing zoning, resulting in a less than significant traffic impacts for the project. Truck traffic would be limited to trucks delivering construction materials and equipment to the site. Since the site has already been prepared for development and the site is outside the 100 year floodplain, there would be no importation of fill to the project.

The City's Off-Street Parking Regulations for this project require a minimum of 2 covered parking spaces per single-family dwellings (assuming houses with driveways) and 1 covered and 1.10 open spaces for multi-family units. According to the City of Hayward Design Guidelines,

the number of parking stalls provided for new single-family dwellings should be 5 spaces per dwelling: 2 in the garage, 2 in the driveway, and 1 on the street in front of the residence. Note that in the proposed project there are no driveways in either the single or multi-family portions of the project. For Area A, each residence will have a 2-car garage, plus there will be parallel on-site, on street parking and in parking bays (151 spaces) and along Marina Dr. (24 spaces). All on street parking will have a 24 hour time limit enforced by the homeowners' association. The total number of parking spaces is 278 for the individual homes (2-car garages) and 151 on-street parking spaces in the single family area. This is a ratio of 3.0 spaces per dwelling unit (the 24 spaces on Marina Dr. do not count since they are not inside the development). Other planned development projects not near the downtown, such as the 72 unit Brighton Village small lot single-family development and the 46 unit Whitman Village single-family project, have overall parking ratios of 4.0 and 3.87 respectively.

As business parks typically have parking spaces available evenings and weekends, Staff proposes the following be made a condition of approval: Within 12 months of the completed development of the project, or upon documented evidence that the amount of on street parking in the single family area is inadequate (whichever occurs first), the applicant shall provide fully developed surface parking spaces in the nearest Business Park zoned parcel to be jointly shared between Eden Shores East residents and visitors and Business Park users. The amount of surface parking spaces to be provided shall be decided on by the City of Hayward but in no case shall the number exceed that amount that will bring the overall parking ratio of the single family portion of the project to 4 parking spaces per dwelling unit.

The multi-family area, Area B, has 244 spaces for the units (2 car garages) and 74 on-street parking spaces. The ratio here is 2.6 spaces per dwelling unit. To assure use of the 2 car garages for parking in both areas, staff is recommending a condition that the Conditions, Covenants and Restrictions (CC&R's) have a requirement that the 2 parking spaces in the garages be kept unobstructed at all times so they will be available for parking. The project is in compliance with the City's Off Street Parking Regulations for the multi-family units and for the single-family residences with the additional visitor parking cited above. The multi-family portion of the project has 37 units with tandem parking, or 30% of the total multi-family units and 14% of the total project units consistent with the newly adopted ordinance related to tandem parking.

Pedestrian Circulation & Landscaping

Pedestrian access to the sports park for the single-family development would be via a pedestrian walkway parallel to the railroad tracks under the Eden Shores Boulevard overpass that separates the single and multi-family components and that continues on to Eden Park Place and the sports park. The proposed 18-20 foot sound wall would separate the walkway and homes from the railroad tracks. Elsewhere, landscaped walkways are provided throughout the project, providing pedestrian access to two linear parks and recreational amenities in the single family area, and to two centralized recreation activity areas in the multi-family area. Pedestrians strolling south along the western edge of the project would encounter a 70 foot wide landscaped linear park with picnic and barbecue areas and tot lots, a landscaped sound wall on their right, a meandering pathway under the Eden Shores Boulevard overpass, and another landscaped linear park paralleling the sound wall in the townhouse area.

Three attractive entries from Marina Boulevard will provide entry to the Housing Area A portion of the project. The private street system in the development will consist of 40-56 foot rights-of-way for Streets A, B, and C built to public street standards. These streets will have "bulb-outs" or tree wells extending into the street so that street trees may be provided between parallel parking spaces and at the street corners. The 56-foot wide streets will have two 10-foot wide travel lanes, 8 feet of parallel parking on both sides of the street and 4-foot wide sidewalks and 6-foot wide landscape strips on both sides of the street. The 6-foot landscape strips will also have street trees to provide for a canopy effect along the street frontages. The alleys providing access to garages for residents (without on street parking on either side) will have 25 foot rights-of-way and 24 foot curb-to-curb dimensions.

In the townhome area, the entry off of Marina Drive, Street V, will provide entry to Housing Area B. This street has a curb-to-curb width of 46 feet at its widest portion including a 6 foot island in the middle, yielding a 20 foot wide travel way on each side. There is also a 4 foot sidewalk and a landscape strip on either side. As with the single-family area, the alleys providing access to garages for residents (without on street parking on either side) will have 25 foot rights-of-way and 24 foot curb-to-curb dimensions. Also similar to Area A, Area B has a 70 foot wide linear park between the sound wall and the units. There is also a strip of "head in" parking between the linear park and the units. With the exception of the rowhouse units, the townhome units are in clustered configurations, providing open space for each building cluster and allowing pedestrian circulation through and between building clusters. Directly west of the main entrance there is also a small neighborhood park and tot lot.

Individual Parcels

The typical residential lot in the single family development is 33 feet by 68 feet with an area of 2244 square feet. The distance from the front property line to the dwelling is a minimum of 6 feet and 0 feet for units facing Marina Dr. because of the 33 foot landscaped setback along Marina. Side yards are a minimum of 4 feet, and the rear yards to the face of the garage from the street are 3 feet, which provide space for utility meters and some landscaping. Private open space ranges from 420 square feet to over 900 square feet. All of the private open space is enclosed by fencing of varying height and materials. In the multi-family townhouse development, dimensions for the units are: 16 feet 8 inches by 73 feet for Plan 1; 26 feet by 60 feet 6 inches for Plan 2; and 23 feet by 64 feet 2 inches for Plan 3. All of the buildings have common open space areas.

Floor Plans

For Housing Area A, 5 floor plans are proposed and each floor plan would have 3 exterior architectural styles. Plan 5 has a master bedroom on the ground floor. The dwellings have from 3 to 4 bedrooms and the floor area, excluding the garage, ranging from 1678 square feet to 2177 square feet. In Housing Area B, 3 floor plans are proposed in 4, 6, and 8 plex buildings. There are 3 exterior architectural styles. The units have up to 3 bedrooms and the floor area, excluding the garage, ranges from 1508 square feet to 1848 square feet.

Building Elevations

All of the single family homes are two stories. There are a variety of architectural styles, including: "Cottage" elevations which use decorative masonry and siding with a flat roof style; "Spanish" elevations which employ historic stucco shapes and Spanish style roof tile; and "French" elevations with historic stucco profiles and a flat roof tile. The roof pitch and shapes are varied from four in twelve to six in twelve, between the three architectural styles. All elevations have a front porch. Architectural enhancements include decorative masonry, post brackets and multiple plaster porch column shapes. Decorative roofs have been added over some windows, others are recessed and shaded with a porch or roof overhangs. All windows will meet or exceed the Title 24 requirements for energy efficiency. All the homes are designed to provide interesting facades on all four sides, with multiple roof and wall articulations. Conditions of approval require that decorative treatments be extended to all four sides of each dwelling.

As with the single family homes, the townhomes are two stories. There are a variety of architectural styles, including: "Craftsman" with exterior stucco, stone veneer, wood post, railing, rafter tails, knee braces, asphalt shingle roof, lap siding, and lattice; "Monterey" which features exterior stucco with brick veneer, brick veneer chimney, rafter tails, shutter, asphalt shingle roof, lap siding, and lattice; and "Regency" using exterior stucco with brick veneer, brick veneer chimney, wood post with decorative metal railing, decorative metal cupola, and decorative clay vents. Porches and balconies are designed to go with all three styles. Awnings over large windows will be used with the Monterey and Regency styles and trellises over large windows will be used on the Craftsman style.

V. Tract Map

The proposed single-family subdivision creates 139 single-family lots and 7 park lots. The single-family parcels will be individually owned. The developer proposed homeowners' association will own and maintain the private streets, park lots, and common parcels within the tract.

The formation of a homeowners association and the creation of Conditions, Covenants, and Restrictions (CC&R's) will be required to cover the maintenance of the private street, perimeter fencing and common area landscaping. The common area landscaping includes all areas outside of the fenced area for the single-family residences and all open space areas in the multi-family development. The CC&R's will also contain a standard condition that if the homeowners association fails to maintain the common areas and private streets, the City of Hayward will have the right to enter the project and perform the work necessary to maintain these areas and lien the properties for the their proportionate share of the costs. However, as indicated in III. Amendment to the Mount Eden Business and Sports Park Community Development Agreement, a landscape & lighting assessment district will be created for the purposes of contributing to the maintenance of the community-oriented facilities in the sports park and to mitigate the impacts of increased usage of the sports park as a neighborhood facility.

There are existing utilities within Marina Drive, including sanitary sewer, water and storm drains, with sufficient capacity to adequately serve the proposed project. The street is at the

ultimate street width and is fully improved. Sidewalks will be constructed with the tract improvements on project streets as illustrated in the Tentative Map application.

Inclusionary Housing

Fifteen percent of the units (40 units) within the development will be affordable to moderate income households, as required by the Inclusionary Housing Ordinance. The ordinance states that the affordable units should be “integrated with the project as a whole” and “the number of bedrooms must be the same as those in the market rate units.” The developer proposes to provide all of the affordable units in the townhouse section of the project, which allows them to be integrated within the project as a whole, but not within the single-family portion of the project. Because none of the townhouse units exceeds three bedrooms, the developer proposes to provide the larger three bedroom townhouses as affordable units. The ordinance states: “In a residential project which contains single family detached homes, affordable units may be attached dwelling units rather than detached homes.” In view of the benefits that the development confers in terms of higher density, more affordable housing and contributions to the improvement of the local schools, staff recommends that the Inclusionary Plan be approved.

VI. Revisions to South of 92 Development Guidelines

Revisions are as follows:

Item	Original Wording	Change
Project Description	Land uses consisting of business park, light manufacturing, and a 25 acre sports park.	Land uses of consisting of business park, light manufacturing, medium density residential, and a 25 acre sports park.
Summary of Land Uses	Business park land uses 42.10 acres in Oliver East, 54.10 acres in Specific Plan. Light manufacturing 27.60 acres in Oliver East, 49.10 acres in Specific Plan. No residential land uses in Oliver East, 81.50 acres in Specific Plan.	Business park land uses 40.50 acres in Oliver East, 52.50 acres in Specific Plan area. No light manufacturing in Oliver East, 21.50 acres in Specific Plan. Residential land uses 29.2 acres in Oliver East, 110.7 acres in Specific Plan.
Roadways and Bicycle Trails	Street A provides a convenient means to traverse the Oliver East and west sites and access to the Business Park and Light Manufacturing uses. It is the primary entry route to the residential neighborhoods.	Street A <u>Eden Shores Blvd.</u> provides a convenient means to traverse the Oliver East and West sites and access the Business Park and Light Manufacturing <u>residential</u> uses on <u>Oliver East</u> . It is the primary entry route to the residential neighborhoods <u>on the Oliver West site</u> .
Planning Concept	The residential enclave within the South of Route 92 Plan Area includes buffered opens space areas. Access is gained via an overpass spanning the Union Pacific Railroad right-of-way through the light	<u>Residential uses are proposed on both the Oliver West and Oliver East sites.</u> The residential enclave within the South of Route 92 Plan Area includes buffered open space areas. <u>Access to the Oliver West site is</u>

	manufacturing area offering views of the neighborhoods, nearby wetlands and distant bay.	gained via an overpass spanning the Union Pacific Railroad right-of-way through the light manufacturing area offering views of the neighborhoods, nearby wetlands and distant bay. <u>The residential parcels on the Oliver East site are located on the west side of Street B (Marina Drive). A 17.7 acre residential parcel is located north of the overpass; an 11.5 acre parcel is located to the south of the overpass. Both parcels are planned for medium density residential uses which may include small-lot single family homes, duplexes or townhouses.</u>
Restrictions on Use- Residential	RS: Single family detached detached homes within subdivisions on individual lots of 5000 sf or more; RS (B6): Single family detached homes within subdivisions on individual lots of 6000 sf or more; RS (B8): Single family detached homes within subdivisions on individual lots of 8000 sf or more.	RS: Single family detached detached homes within subdivisions on individual lots of 5000 sf or more; RS (B6): Single family detached homes within subdivisions on individual lots of 6000 sf or more; RS (B8): Single family detached homes within subdivisions on individual lots of 8000 sf or more. <u>PD: Medium density residential – single family, duplexes, townhomes.</u>
Landscape Concept	The Landscape Master Plan (Exhibit 3-B) illustrates the features and intent of the landscape concept.	The Landscape Master Plan (Exhibits 3-B <u>and 2-C</u>) illustrates the features and intent of the landscape concept.
Definitions	The residential portion of the South of 92 Plan Area is located on the Oliver West parcel. For the purposes of these guidelines, this portion consists of 4 distinct areas: the Public Corridor, the Streetscape, the Parks, and the Open Space Buffers. B. The Streetscape extends from the back of curb for 20 feet and contains:	The residential portion of the South of 92 Plan Area is located <u>both</u> on the Oliver West <u>and Oliver East</u> parcels. For the purposes of these guidelines, <u>this portion the landscaped areas within the residential areas</u> consist of 4 distinct areas: the Public Corridor , the Streetscape, the Parks, and the Open Space Buffers. B. The Streetscape extends from the back of curb for <u>20 feet for up to 20 feet</u> and contains:
Public Streets and Roundabout	Sidewalks are required on both sides. Parking may be on one side or both sides and street rights-of-way are 46 feet with a travelway of 36 feet.	Sidewalks are required on both sides. Parking may be on one side or both sides. and street rights-of-way are 46 feet with a travelway of 36 feet.
Streetscape and Trails	Residential property line setback criteria are: minimum front yard	Residential property line setback criteria <u>for Oliver West</u> are:

	setback from back of sidewalk 30 feet, side yard 5 feet, rear yard 20 feet for collector streets, and 20 feet, 5 feet, and 20 feet for typical streets.	minimum front yard setback from back of sidewalk 30 feet, side yard 5 feet, rear yard 20 feet for collector streets, and 20 feet, 5 feet, and 20 feet for typical streets. <u>For Oliver East, residential street setbacks to be determined through the PD process.</u>
Architecture	Porches or courtyards in front yards are required on 25% of the homes built by each builder.	<u>Within the Oliver West site, porches or courtyards in front yards are required on 25% of the homes built by each builder.</u>

ENVIRONMENTAL REVIEW (CEQA)

A Final Program EIR was certified by the City when it adopted the South of Route 92 Specific Plan in 1998. The 1998 Program EIR found that unavoidable impacts occurred relating to loss of open space and farmland and the City Council adopted a Statement of Overriding Considerations. This impact has not changed under the current project. The project currently under review proposing a modification to the Specific Plan and other associated approvals, has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study was prepared for the project. The Initial Study was prepared to determine whether the project would result in significant environmental effects that were not examined in the 1998 Program EIR or an increase in severity of previously identified impacts. Issues with potentially significant impacts discussed in the checklist were in regard to air quality, biological resources, cultural resources, hydrology/water quality, noise and recreation. It was determined that the proposed project, as conditioned to include the recommended mitigation measures, would not result in significant effects on the environment. Therefore, a mitigated negative declaration was distributed for review on September 6, 2005. The mitigated negative declaration is tiered to the earlier South of Route 92 General Plan Amendment and Specific Plan and implements necessary mitigation measures from this EIR pertinent to impacts documented in the mitigated negative declaration. The Mitigation Monitoring & Reporting Program adopted with the 1998 Program EIR remains in full force and effect, except where specifically clarified by the Mitigated Negative Declaration. To date one comment letter has been received from the California Public Utilities Commission (CPUC) on Sept. 20 concerning safety issues associated with cars and pedestrians near the railroad tracks. Since the railroad crossing at Eden Shores Blvd. is an overpass and the pedestrians are separated by the sound wall from the railroad tracks, no adverse impacts are anticipated with respect to the railroad tracks as suggested in the CPUC letter.

PUBLIC NOTICE

On September 6, 2005, a notice of public hearing and preparation of a Mitigated Negative declaration was published in the Daily Review and mailed to property owners and occupants within the adjacent Eden Shores housing development. Appropriate public agencies were also notified.

CONCLUSION

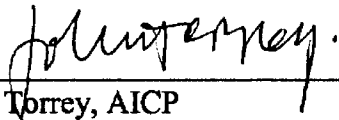
When a project is zoned Planned Development, the following finding is required:

"Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards."

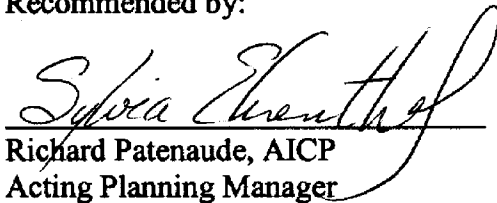
The residential component of this project is similar to recent small lot subdivisions in Hayward. Therefore, it may not be appropriate to weigh the adequacy of the features of the project against the development standards of the more conventional zoning patterns, such as the RSB4 residential zoning district of the Stratford Village development. For example, the lots are smaller and there are substantially smaller yard areas. The inclusion of two linear parks in the single family development and two centrally located parks and a linear park in the multi-family development will help offset the smaller parcel size and the smaller yard space available to each homeowner. The parks are within close walking distance of each home as is the completed Alden E. Oliver Sports Park to the south of the project.

If the General Plan Amendment, Rezoning and Vesting Tentative Map are approved by the City Council, the next phase in the development is the review and approval of the Precise Plan by the Planning Director, the review and approval of the grading plan by the City Engineer, and the review and approval of the Final Map by the City Council. Once the Precise Plan and Final Map are approved, the developer may submit plans for a building permit.

Prepared by:

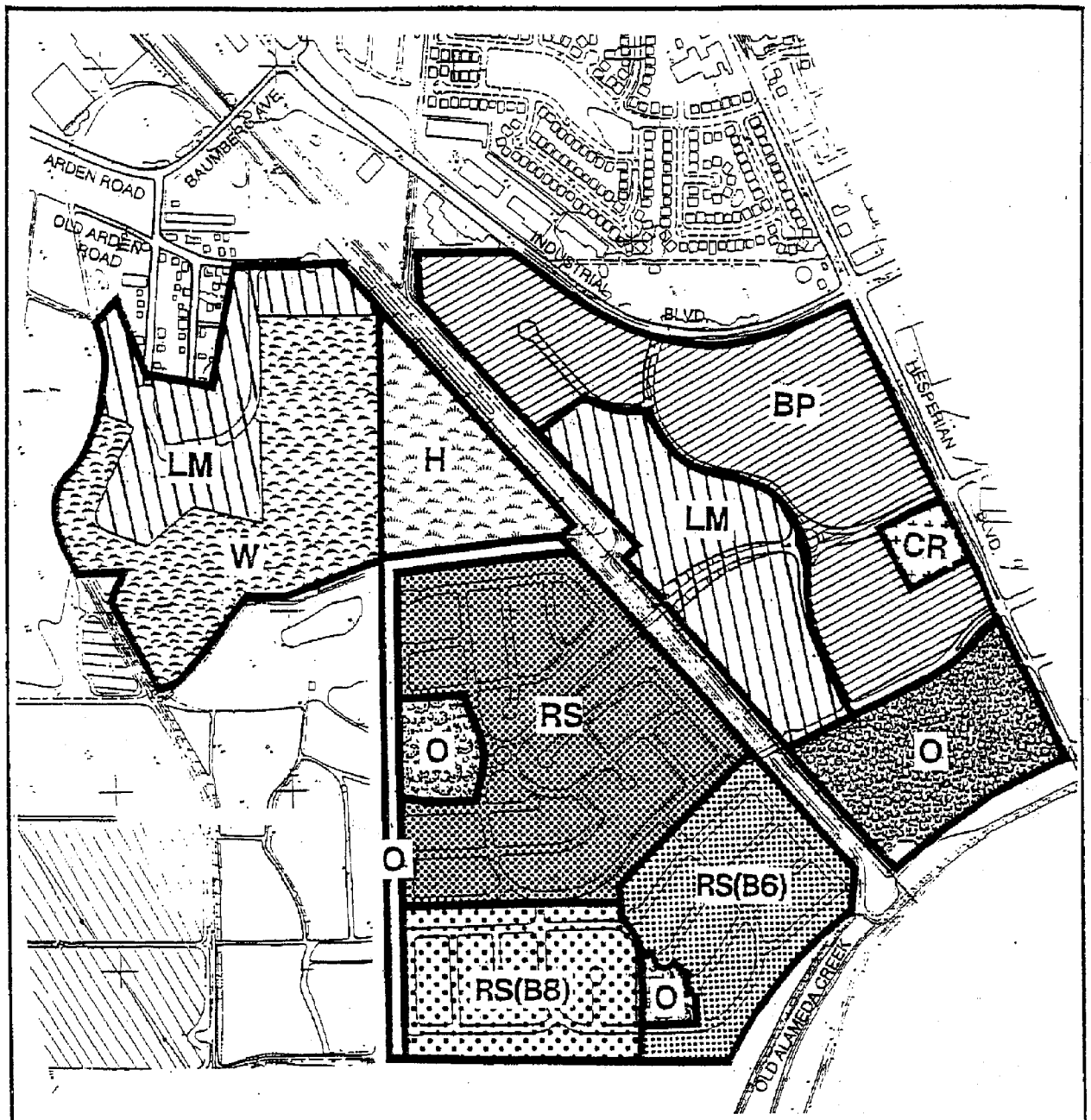

John Torrey, AICP

Recommended by:













for Richard Patenaude, AICP
Acting Planning Manager

Attachments:

- A. Area Map, General Plan Map, Zoning Map
- B. Findings for Approval
- C. Conditions of Approval-Single Family
- D. Conditions of Approval-Multi Family
- E. Tract Conditions
- F. Modification of South of Route 92/Oliver & Weber Properties Specific Plan
- G. Modification of Development Agreement
- H. Mitigated Negative Declaration, Initial Study and Mitigation Monitoring Plan Plans and Exhibits

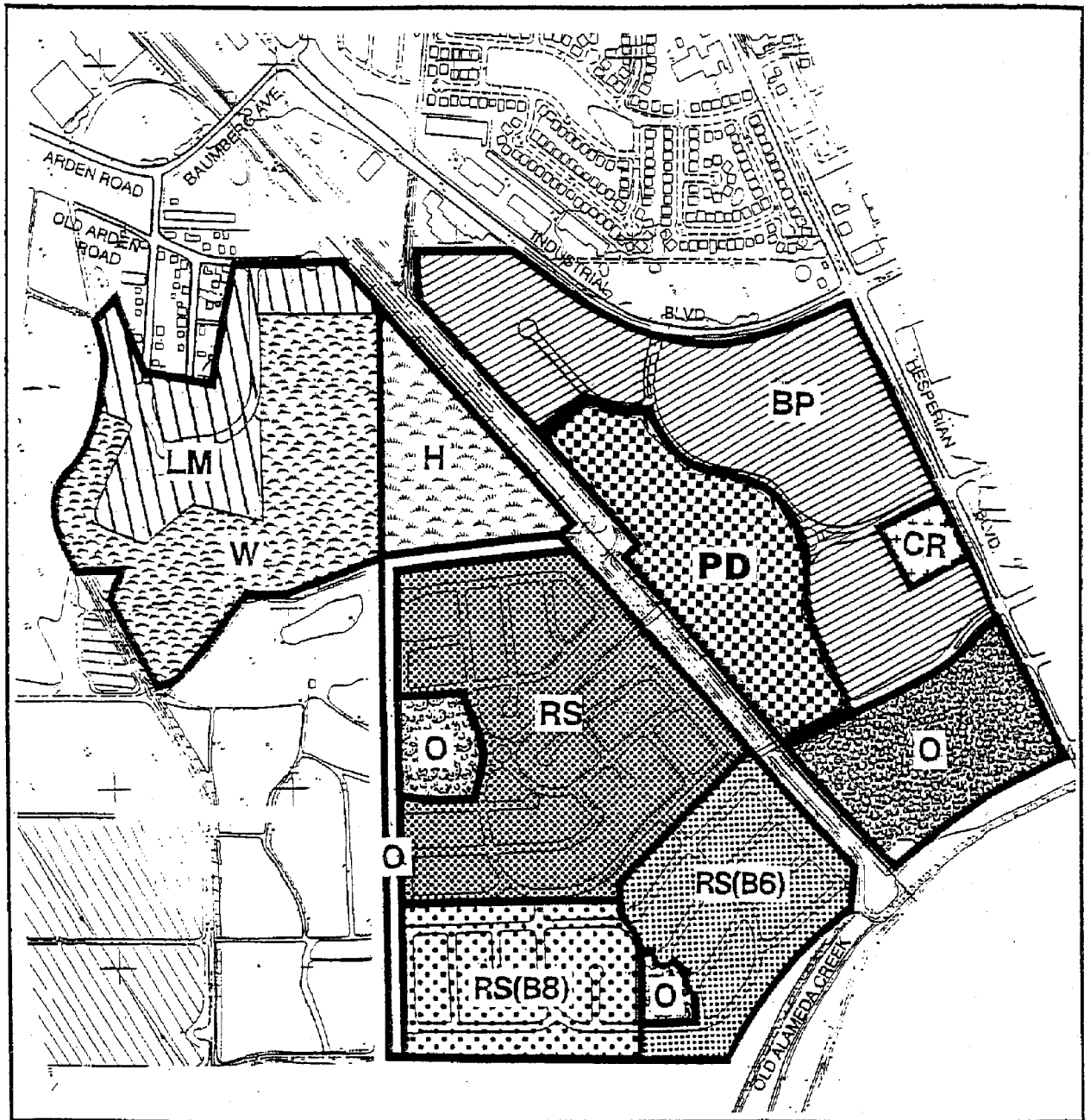


LEGEND













	BUSINESS PARK		RESIDENTIAL - SINGLE FAMILY 6,000 SQ. FT. LOTS		HABITAT
	LIGHT MANUFACTURING		RESIDENTIAL - SINGLE FAMILY 8,000 SQ. FT. LOTS		OPEN SPACE - BUFFER ZONE
	COMMERCIAL/RETAIL		OPEN SPACE - NEIGHBORHOOD PARKS		WETLANDS
	RESIDENTIAL - SINGLE FAMILY 5,000 SQ. FT. LOTS		OPEN SPACE - SPORTS PARK		

SOUTH OF ROUTE 92 SPECIFIC PLAN

LAND USE



LEGEND

	BUSINESS PARK		RESIDENTIAL - SINGLE FAMILY 6,000 SQ. FT. LOTS		HABITAT
	LIGHT MANUFACTURING		RESIDENTIAL - SINGLE FAMILY 8,000 SQ. FT. LOTS		OPEN SPACE - BUFFER ZONE
	COMMERCIAL/RETAIL		OPEN SPACE - NEIGHBORHOOD PARKS		WETLANDS
	RESIDENTIAL - SINGLE FAMILY 5,000 SQ. FT. LOTS		OPEN SPACE - SPORTS PARK		
	RESIDENTIAL - PLANNED DEVELOPMENT				

SOUTH OF ROUTE 92 SPECIFIC PLAN

PROPOSED LAND USE

CITY OF HAYWARD

Existing Zoning

0 500 1,000 2,000 Feet

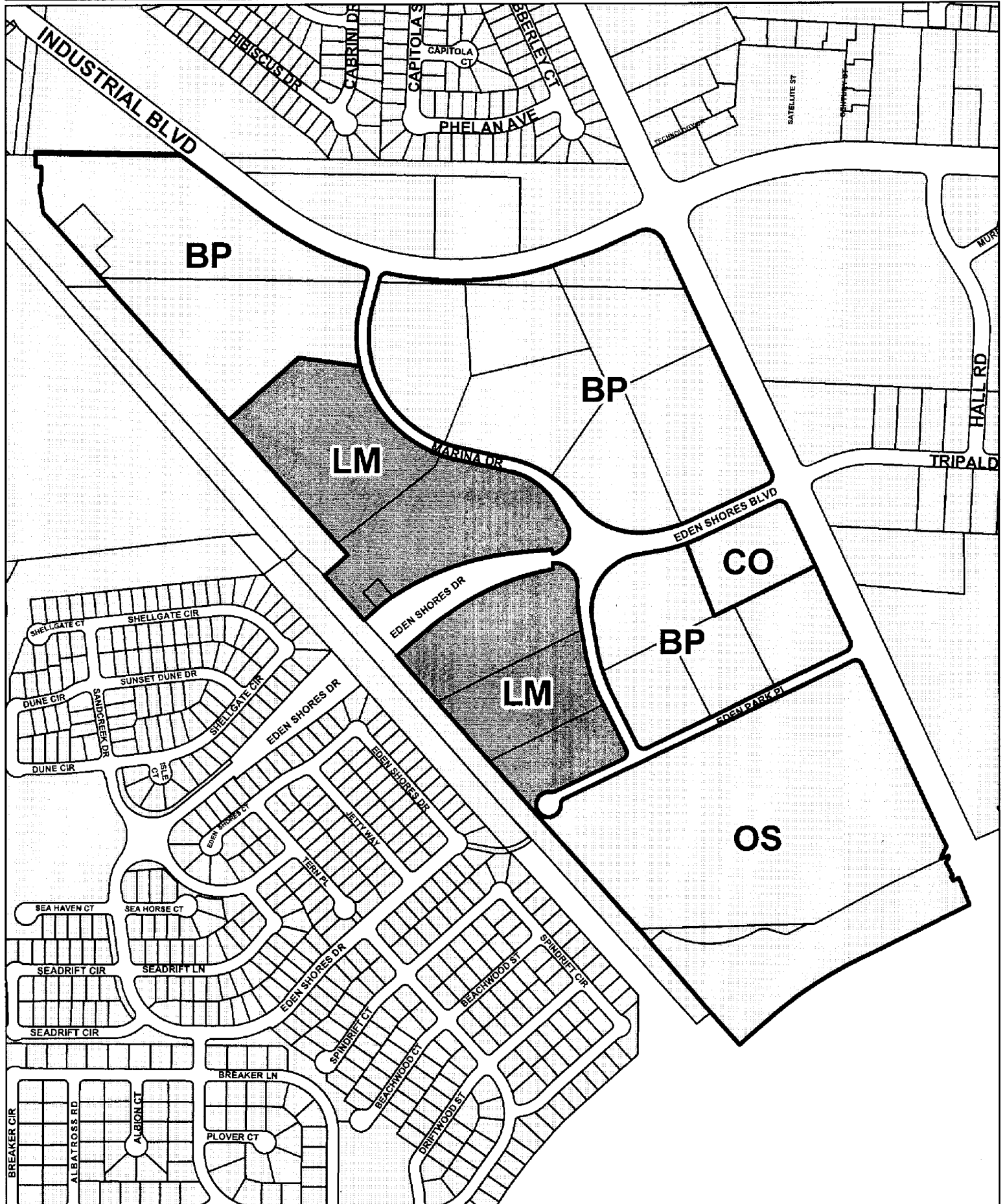


BP - Business Park

CP - Commercial Office

LM - Light Manufacturing

OS - Open Space



CITY OF HAYWARD

Proposed Zoning

0

500

1,000

2,000

Feet

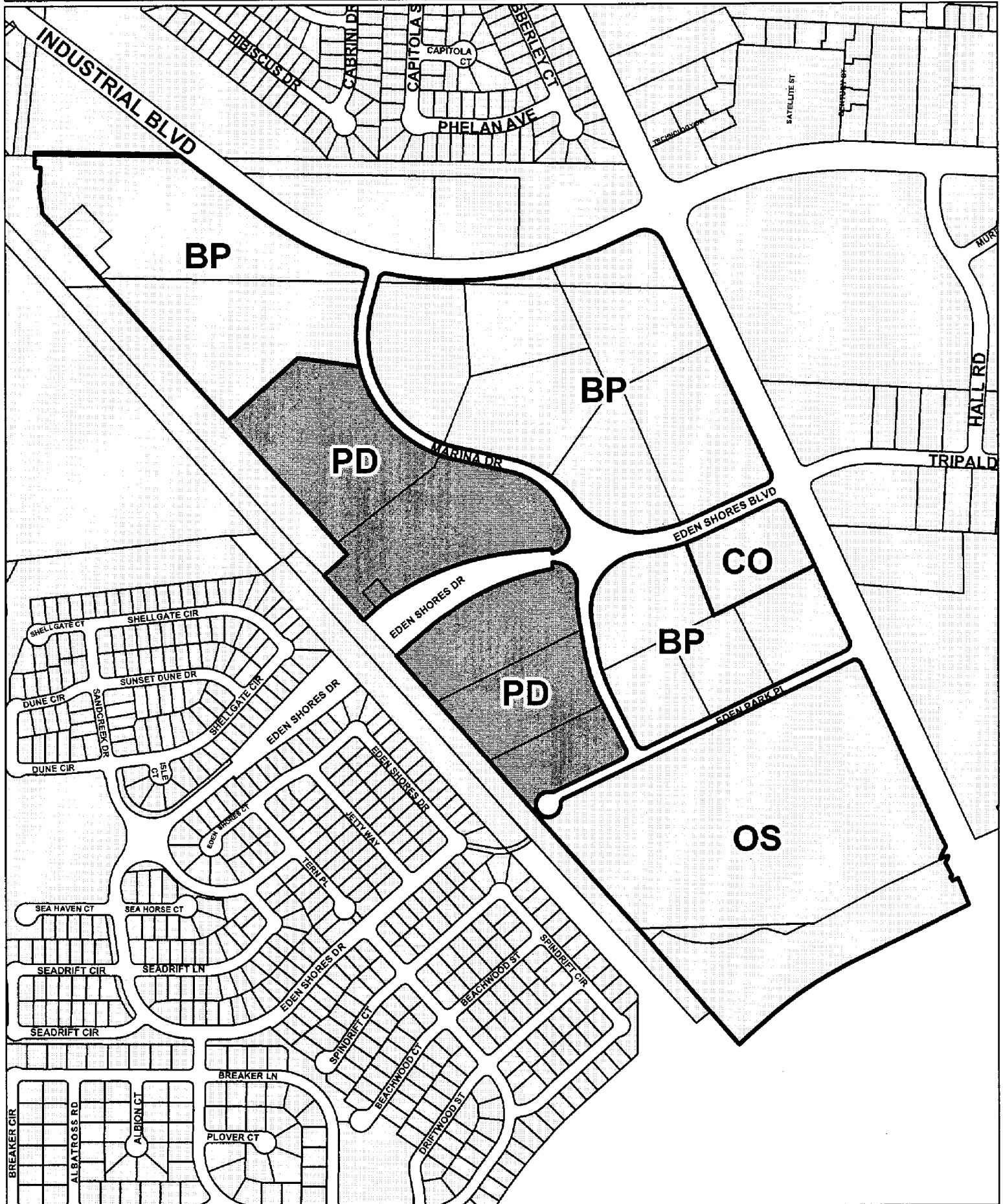


BP - Business Park

CP - Commercial Office

PD - Planned Development

OS - Open Space



**EDEN SHORES EAST DEVELOPMENT
MARINA DRIVE
(General Plan Amendment, Zone Change,
Development Agreement & TTM 7489)
Joseph Fanelli, Hayward Oliver Owners LLC (Applicant/Owner)**

October 20, 2005

Findings For Approval – General Plan Amendment

1. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, Program Environmental Impact Report and Section 15074, Mitigated Negative Declarations, a Mitigated Negative Declaration has been prepared in association with approval of General Plan Amendment Application No. PL-2004-0184, as conditioned, and it has been determined, based on the whole record (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration is complete and final and reflects the City of Hayward's independent judgment and analysis.
2. That the proposed General Plan Amendment will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the design and construction of the 261-unit residential development will be done in accordance with sound geotechnical practices, and in that post-construction erosion and siltation impacts will be mitigated via Best Management Practices in accordance with the requirements of the California Regional Water Quality Control Board, and in that post-construction noise impacts will be mitigated via a sound wall, wall assemblies and other methods as documented in the project's noise report, and in that construction dust control mitigation measures shall be employed, and in that the extent and density of development will be guided into a cohesive pattern that minimizes visual impacts and avoids encroachment into natural, undisturbed areas.
3. That, with required conditions of approval, the proposed General Plan Amendment is in conformance with the City's General Plan policies and the South of 92/Oliver & Weber Properties Specific Plan, as amended, and the Zoning Ordinance, as amended, and will result in a development that will be compatible with surrounding land uses and zoning, and will further the City's goal to provide ownership housing opportunities as expressed in the Housing Element of the General Plan.
4. That the streets and public facilities existing or proposed, including the northwesterly extension of "D" Street are/will be adequate to serve all uses permitted when the property is redesignated.
5. That the proposed General Plan Amendment will result in a development that will be compatible with surrounding residential, business park, and light manufacturing land uses and zoning, in that the development would involve a variety of homes of

high quality design that will be constructed in an already-disturbed area that will result in no land use conflicts.

6. That the proposed project is consistent with the General Plan Housing Element's goal of providing housing opportunities for all household income levels in that approximately 40 ownership housing units for moderate income households will be provided in the City as a result of the project; and
7. That the contribution of \$7 million towards development of the Mount Eden Sports Park, and the development of the park with playfields and community-oriented recreational facilities such as picnic areas and tot lots as well as sports park facilities in an area of the City that lacks adequate recreational opportunities is consistent with the policies contained in the Community Facilities and Amenities section of the General Plan and, in particular, Policy 5, which indicates the City should, "Seek to increase the amount, diversity and quality of parks and recreational facilities and opportunities."

Findings For Approval – Zone Change (per Sec. 10-1.3425 Planning Commission Procedures)

- A) The Planning Commission shall hold a public hearing on all text amendments, reclassifications and rezonings. No public hearing shall be required for interim zoning. Notice shall be given pursuant to Section 10-1.2820, except that for text amendments notice shall be published at least 10 days prior to the hearing in a newspaper of general circulation published and circulated in the City of Hayward, in addition to or in lieu of notice by mail.
- B) The Planning Commission may recommend approval of or deny a text amendment, reclassification, or rezoning to the City Council. Recommendations for approval shall be based upon all the following findings:
 - (1) Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward;
 - (2) The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans;
 - (3) Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified; and
 - (4) All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations.

A) Findings for Approval – Preliminary Development Plan

1. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, Program Environmental Impact Reports, and Section 15074, Mitigated Negative Declarations, a Mitigated Negative Declaration has been prepared in association with approval of Zone Changes Application No. PL-2004-0184, as conditioned, and it has been determined, based on the whole record (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration is complete and final and reflects the City of Hayward's independent judgment and analysis.
2. The development is in substantial harmony with the surrounding area and conforms to the General Plan, as amended, and applicable City policies in that the design and layout of the development involves a variety of homes of high quality design that will be constructed in an already-disturbed area, will further the City's goal to provide ownership housing opportunities as expressed in the Housing Element of the General Plan, and will help further the City's Housing Element policy to provide housing opportunities for all household income levels in that 40 ownership housing units for moderate income households will be provided in the City as a result of the project.
3. Streets and utilities, existing or proposed, are adequate to serve the development in that project conditions of approval require that 4 roads be constructed to City public street standards to serve the development.
4. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development, in that the project will result in the dedication of approximately 3.55 acres for neighborhood parks, development of the parks with playfields, detention basins, etc. equal in value to at least \$1 million in a manner to be found acceptable by the Hayward Area Recreation and Park District and a contribution of \$7 million already made towards development of the Mount Eden Sports Park in an area of the City that lacks adequate recreational opportunities.
5. Any latitude or exception(s) to development regulations or policies is adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards, in that the exceptions requested for reduced minimum lot sizes and front, rear, and side yard setbacks is offset by: smaller size housing on small lots offered by the applicant at prices commensurate with the size of the lots and units; and with a \$7 million contribution toward construction of the now completed Mount Eden Sports Park adjacent to the development; and with dedication and development of new neighborhood parks in the development linked to the Bay Trail and the sports park..

B) Text Amendments to the South of Route 92/Oliver & Weber Properties Specific Plan

6. Substantial proof exists that the proposed changes will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the project will allow development of 261 ownership housing units, where ownership housing is supported by the Housing Element of the General Plan, in that post-construction erosion and siltation impacts will be mitigated via Best Management Practices in accordance with the requirements of the California Regional Water Quality Control Board, and in that post-construction noise impacts will be mitigated via a sound wall, wall assemblies and other methods as documented in the project's noise report, and in that the extent and density of development will be guided into a cohesive pattern that avoids encroachment into natural, undisturbed areas; and will result in the dedication of approximately 3.55 acres for new community park and recreational facilities, development of the park with playfields, detention basins, etc. equal in value to at least \$ 1 million in a manner to be found acceptable by the City, following consultation with the Hayward Area Recreation and Park District, and in that \$7 million has already been contributed to completion of the adjacent 25-acre Mount Eden Sports Park.
7. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the proposed project would provide for new recreational amenities in an area of the City that is currently underserved by such facilities and would provide for development of high-quality housing that would be consistent with standard geotechnical and building construction practices. Also, the project would be consistent with the City's General Plan policies, and the South of Route 92/Oliver & Weber Properties Specific Plan provisions, as amended, by proposing a development that incorporates additional housing in the area at about the same density as the existing Oliver West housing, mitigates land use conflicts between residential and non-residential land uses, and utilizes landscaping, collector street setbacks, and a variety of building designs and massing that assist in creating a harmonious development.
8. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified in that "D" Street is proposed to be extended northward from Marina Drive, thereby providing 4 means of ingress/egress to/from the development that would meet City standards (1 on "D" Street, 2 on Marina Drive, and 1 on Eden Park Place); and
9. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations in that the proposal would result in a residential environment of sustained desirability and stability that would provide for high-quality ownership housing.

C) Findings for Approval – Inclusionary Housing Plan:

10. The proposed project will result in greater affordable housing opportunities in Hayward than what would normally be required for the project in that townhouses affordable to households of moderate income would be developed on site as a result of the project.

Findings for Approval – Development Agreement:

1. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, Program Environmental Impact Reports, and Section 15074, Mitigated Negative Declarations, a Mitigated Negative Declaration has been prepared in association with approval of Development Agreement Application No. PL-2004-0184, as conditioned, and it has been determined, based on the whole record (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration is complete and final and reflects the City of Hayward's independent judgment and analysis.
2. The proposed development agreement is consistent with the objectives, policies, general land uses and programs specified in the City's General Plan and South of Route 92/Oliver & Weber Properties Specific Plan as amended in that the development agreement stipulates the development must be consistent with such provisions.
3. The proposed development agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located in that the General Plan and Specific Plan, as amended, allow Planned Development residential and the development is proposed at 10.7 dwelling units per net acre for the single-family units and 14 dwelling units per acre for the multi-family units.
4. The proposed development agreement is in conformity with public convenience, general welfare and good land use practice in that it will provide new housing opportunities and new public facilities, including a previously made substantial contribution toward development of the now completed Mount Eden Sports Park, while minimizing impacts to the area.
5. Existing or proposed public facilities have sufficient capacity to accommodate the proposed development in that "D" Street is proposed to be extended northeastward from Marina Drive thereby providing, along with the proposed 2 entrances off of Marina Drive and 1 entrance off of Eden Park Place, four means of ingress/egress to/from the development.
6. The public health, safety, and general welfare will be promoted and advanced by the proposed development in that mitigation measures will be required as part of development approvals to ensure significant environmental impacts will be

reduced to levels of insignificance, including those associated with dust and air quality, biological resources, cultural resources, hydrology, noise, and recreation.

7. The orderly development of property or the preservation of property values will be promoted and advanced by the proposed development in that high-quality single-family housing and multi-family housing will be constructed in an area that currently is planned and zoned for light manufacturing and business park land uses, resulting in less impacts to, and a more compatible development with, surrounding residences.

FINDINGS FOR APPROVAL
TENTATIVE TRACT MAP 7489

1. The approval of Tentative Map Tract 7489, as conditioned, will have no significant impact on the environment, cumulative or otherwise. A Mitigated Negative Declaration was prepared per the guidelines of the California Environmental Quality Act (CEQA) for the development of this site.
2. The tentative tract map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Plan, and the City of Hayward Zoning Ordinance.
3. The site is physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are not likely to cause serious health problems.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 64474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

Conditions of Approval
Planned Development Application No. PL-2004-0184
Hayward Oliver Owners LLC (Applicant/Owner)
139 Single-Family Residences

The Conditions of Approval attached as Exhibit C to the Development Agreement remain in full force and effect except where superseded or modified by these Conditions of Approval.

1. Planned Development Application No. PL-2004-0184 to allow the construction of 139 single-family homes is subject to these conditions of approval and the plans, labeled Exhibit "C." Prior to final inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director
2. The preliminary development plan approval is void one year after the effective date of approval of the planned development unless a precise development plan is submitted for review and processing in accordance with the conditions of approval of the preliminary development plan. Unless otherwise provided by the development agreement for the project, the Planned Development District shall be void when the tract map expires, including any extensions thereof. Any modification to the preliminary development plan shall require review and approval by the Planning Director. A request for an extension-of-time, approval of which is not guaranteed, must be submitted to the Planning Division at least 30 days prior to the expiration date. If within 12 months after the approval by the City Council of the Preliminary Development Plan the Precise Development Plan has not been submitted for review and processing, and an extension is not granted by the City, the Planning Commission may initiate consideration of reclassification of the zoning district.
3. The permittee/subdivider shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, and agents from and against any claim, action or proceeding against the City, its officers, employees and agents to attack, set aside, void, or annul, an approval by the City concerning the subdivision, which action is brought within the time period covered by Government Code Section 66499.37. The City shall promptly notify the permittee/subdivider of any claim, action, or proceeding, and if the City fails to cooperate fully in the defense, the permittee/subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to the Zoning Ordinance, must be approved by the Planning Director prior to implementation.
5. This approval is tied to Tentative Map Tract 7489 and all conditions of approval of that map shall also apply to this approval.
6. The final map shall be filed and approved by the City and recorded in the County Records Office prior to the issuance of a Certificate of Occupancy of any unit.
7. Any appropriate historical artifacts unearthed on the site within the area covered by the final map in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge.

8. If any human remains are found during grading or construction, all work will be stopped and police called to investigate.
9. Prior to application for a building permit, a Precise Plan shall be submitted for approval by the Planning Director and shall include detailed landscaping and irrigation plans, detailed plans for all site amenities, details for decorative paving, decorative electroliers, details for fencing, walls (including the sound wall), berms. architectural plans, sign details, samples of exterior colors and building materials, and screening of all above-ground utilities and utility meters. The precise plan shall also reflect the ultimate configuration of the driveway entries and other private improvements.
10. The Precise Plan shall also include provisions for project staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for noise and dust control, and common area landscaping.
11. The Precise Plan shall include the following:
 - a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
 - b) Details of address numbers shall be provided. Address number shall be decorative. Building addresses shall be minimum 4-inch self-illuminated or 6-inch on contrasting background. Address numbers shall be installed so as to be visible from the street.
 - c) Details and locations of the perimeter decorative walls shall be included and approved by the Planning Director.
 - d) Show an exterior hose bib for each private yard, patio or porch area.
 - e) Show fencing and fencing details as well as masonry details at prominent locations.
 - f) The pavement at the driveway entries shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director.
 - g) Pedestrian walkways fronting the building(s) shall be enhanced with decorative materials such as inset brick, exposed aggregate, bomanite stamped concrete or other approved material.
 - h) A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.
 - i) Single-family residential home elevations having stone or brick work on a front elevation go all the way around the building unless otherwise approved by the Planning Director. Trim shall be capped at the level of the windowsills.

- j) All air conditioners and utility connections for air conditioners shall be located such that all external equipment is located within private yards behind solid board fences. Infrastructure for air conditioning systems is required to be installed as a standard feature.
- k) All parking spaces are to meet minimum City of Hayward on-street and off-street parking standards.
- l) Recreational amenities in the single-family area shall be shown on: the linear park between A and B Streets, the linear park between Alleys E and Q, on Parcel D parallel to Eden Shores Blvd., and on Parcel I connecting to the townhouse development. Recreational amenities shall include: a rose garden, a pocket park, linear parks, several open play areas, tot lots, picnic areas with a barbecue, an extensive meandering walkways and trails.
- m) An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars.
- n) A bicycle rack with a capacity of at least 4 bicycles shall be included within the development at each group open space. The design and placement shall be approved by the Planning Director.
- o) A color and materials board shall be submitted to the Planning Director for review and approval. No changes to colors shall be made after construction unless approved by the Planning Director.
- p) All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen, to be approved by the Planning Director.
- q) No mechanical equipment shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by Building Code. Roof apparatus, such as vents, shall be painted to match the roof color.
- r) One project identification sign per public road entrance is permitted. The sign shall conform to Section 10-7.403(b)(2) of the Sign Ordinance regulations, with the locations to be approved by the Planning Director. Sign design, colors, and materials shall reflect the architectural style of the project and shall be approved by the Planning Director.
- s) All decorative window treatments shall be extended to all elevations.
- t) All rear and side entries shall be protected by roofs with rooflines to match the pitch of roof of the front porch.
- u) All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All two car garages shall have the interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.

12. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
13. All applicable requirements of the City's Security Ordinance (Ord. No. 90-26 C.S.) shall be met.
14. All mitigation measures proposed by Charles M. Salter Associates, Inc. in his project acoustical studies, reflected in his letters to Joseph Fanelli dated July 25, 2005 (single family) shall be implemented.
15. All mitigation measures of the Phase I Preliminary Site Assessment prepared by Henshaw Associates, Inc. and the Phase I Preliminary Site Assessment and Phase II Soil and Groundwater Quality Investigation prepared by Northgate Environmental Management, Inc. shall be implemented.
16. The applicant shall institute a vermin control program before, during and after the construction phases of the project.
17. All perimeter project walls including the sound wall shall be treated with an anti-graffiti coat.
18. A sound wall of varying heights but typically at approximately 18 feet above grade (which may be equivalent to a 20 foot sound wall in some locations) shall be constructed generally as shown on the Tentative Map. The final location, design, color and landscaping of the sound wall shall be subject to approval of the Planning Director.
19. Per Specific Plan Development Guidelines, a 33 foot setback shall be observed for all houses fronting on "D" Street, similar to the setback for houses fronting Marina Drive. "D" Street shall be moved north 33 feet from the property line while not moving the intersection of "D" Street and Marina Drive. The site plan dated September 26, 2005 shows a 20 foot setback from the property line for houses fronting "D" Street.
20. Within 12 months of the completed development of the project or upon documented evidence that the amount of on street parking in the single family area is inadequate (whichever occurs first), the applicant shall provide fully developed surface parking spaces in the nearest Business Park zoned parcel to be jointly shared between Eden Shores East residents and visitors and Business Park users. The amount of surface parking spaces to be provided shall be decided on by the City of Hayward but in no case shall the number exceed that amount that will bring the overall parking ratio of the single family portion of the project to 4 parking spaces per dwelling unit.
21. Three project entries to the single-family area shall be designed in accordance with the preliminary landscape plans submitted.
22. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.
23. Any on-site transformer shall be located underground.

24. Prior to the sale of any lot to an individual owner (and not another developer or builder) or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association (HOA) shall be created to maintain the private streets, alleys, common area landscaping and open space amenities as depicted on the approved Tentative Map Tract and CC&R's prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:
- a) Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
 - b) A landscape and lighting assessment district shall be established by the City for the purposes of providing partial funding for the ongoing maintenance of the neighborhood-serving features of the sports park complex such as picnic tables, basketball courts, barbecue areas and soccer fields. The annual assessment shall be \$160 per residential lot or unit (indexed to San Francisco Bay Area cpi).
 - c) A statement regarding all HOA fees and landscaping and lighting assessment district assessments obligating individual homeowners shall be provided to homeowners on bright paper.
 - d) A reserve fund shall be maintained to cover the costs of replacement and repair of the private streets, alleys, driveways and common area landscaping.
 - e) The association shall be managed and maintained by a professional property management company.
 - f) The homeowners' association shall be responsible for maintaining all private streets and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association.
 - g) The private streets, alleys, driveways entries, common areas and residential front yard landscaped areas shall be maintained in good repair, and free of debris at all times.
 - h) A requirement that the building exteriors, fences, and walls shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City's Community Preservation Officer.
 - i) The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within 10 days.
 - j) Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the

common area at the expense of the homeowners association pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance.

- k) The trees planted within the common areas and “bulb-outs” within the private streets shall be maintained and retained by the homeowners association. The homeowners association shall be responsible for replacing any tree removed within the “bulb-out” landscape areas with a like kind/like size tree as others within the subdivision. The tree shall be replaced within 30-days of notification of its removal.
- l) Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.
- m) Pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance, a provision that if the homeowners’ association fails to maintain the common area or private streets, so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use or property value of the project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs.
- n) The garage of each unit shall be maintained for off-street parking and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.
- o) The applicant or homeowners association shall maintain in good repair all fencing, parking and street surfaces, common landscaping, lighting, trash enclosures, drainage facilities, project signs, etc. The homeowners association or individual homeowners, as applicable, shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
- p) The open parking spaces within parking bays or on the private streets shall be provided for and maintained as visitors’ spaces and shall not be used for recreational vehicles, camper shells, boats or trailers. These spaces shall be clearly marked and monitored by the homeowners association. Parking stalls shall be used only for vehicles in operating condition. The on-street parking on Public Streets A, B, and C and adjacent to Alleys E, F, J, R, and P shall be limited to 24 hour parking. The homeowners association shall remove vehicles parked contrary to this provision. The developer shall include in the CC&Rs authority to tow illegally-parked vehicles.
- q) Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.

- r) Any future modification to the approved site plan shall require review and approval by either the Planning Director or the Planning Commission as provided in the Municipal Code and Development Agreement.
- s) The CC&Rs shall specify the outdoor collection locations of trash and recycle containers. In addition, trash and recycle containers shall not be moved to the collection location more than 24 hours prior to collection and shall be removed within 24 hours after collection.

Landscaping

- 25. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans for all common areas shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*. Landscape area shall be limited to a maximum 50% Fescue turf.
- 26. Street Trees. City policy on street trees is one for every 25 – 40 feet of frontage. Spacing of the trees is dependant on the species of trees. Smaller trees will require closer spacing. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Trees shall be planted according to the City Standard Detail SD-122.
- 27. Landscape strips along the property line shall be developed as shown on the landscape drawings of the submittal. Trees and shrubs shall be planted as shown on the landscape drawings of the submittal.
- 28. For the linear park abutting the sound wall in the single-family development, there shall be built up landscaped berm to lessen the apparent height of the sound wall. Landscaping treatment shall be as shown on the landscaping plans.
- 29. Landscape plans shall specify site amenities such as, benches, tables, fencing, play equipment and barbecues, for the common open space areas.
- 30. Parking spaces separated by islands shall be landscaped. All tree wells, islands and medians shall be a minimum of 5' wide measured inside the curbs. Parking and loading areas shall be screened from the street with shrubs, masonry walls or earth berms, as determined by the Planning Director. Where shrubs are used for screening, the type and spacing of shrubs shall create a continuous 30" high hedge within two years. This measurement shall be from the top of curb.
- 31. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
- 32. Masonry walls, solid building walls, trash enclosures or fences facing a street or driveway shall be continuously buffered with shrubs and vines.
- 33. Landscaping and irrigation plans shall be submitted for review and approval by the City prior to approval of improvement plans or prior to the issuance of building permits.

Mylars of the approved Landscape plans shall be submitted to Public Works, Engineering as a part of the approved Civil plans. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.

34. Landscaping and required trees for each unit shall be installed prior to occupancy of each building.
35. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion; as-built mylars and an Irrigation Schedule shall be submitted prior to the Final Approval of the landscaping for the Tract.
36. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. All trees shown on the approved site plan including street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately.
37. A tree removal permit is required prior to the removal of any previously approved tree. See the Tree Preservation Ordinance for more information. Replacement trees shall be required for any trees removed, as determined by the City Landscape Architect.
38. Grading and improvement plans shall include tree preservation and protection measures, as required by the City Landscape Architect. Existing landscape areas shall be fenced throughout the construction period and shall be maintained in a healthy condition throughout the construction period.
39. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat stormwater runoff. Landscaping shall also comply with the City's "water efficient landscape ordinance" or equivalent.
40. All street chokers shall be designed without sharp angles to provide access to the street sweeper equipment.

Solid Waste

41. Compliance to the City's recycling program during construction and for the duration of the development. Please contact Vera Dahle-Lacaze, Solid Waste Manager at (510) 583-4725 for more details regarding the City solid waste program that include the following that are required to be met prior to issuance of a building permit:
 - a) A Construction Debris Recycling Statement must be submitted with the building permit application.
 - b) A Construction Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project. Construction Debris Recycling Statement must be completed to obtain approval of the building permit application.

- c) The Applicant must explain what arrangements will be made for trash and recycling collection. Indicate on the site plan, the formula used for determining the necessary amount of weekly refuse service and indicate what size containers are being proposed. There must be the same capacity for recycling as there is for garbage. In other words, if there is a 2 cubic yard container for garbage then there must also be space available for a 2 cubic yard container for recycling.
- d) The applicant must ensure that there is adequate space for a garbage or recycling truck to enter and exit the property in order to service each container.
- e) The applicant shall complete an On-Site Recycling Plan to demonstrate that 50% of the waste generated during occupancy of the facility will be diverted.

Disclosures

- 42. Future potential noise from the railroad track shall be disclosed to buyer prior to the sale of a unit.
- 43. The level of vibration shall be disclosed to buyer prior to the sale of a unit.

Conditions of Approval
Planned Development Application No. PL-2004-0184
Hayward Oliver Owners LLC (Applicant/Owner)
122 Multi-family Units

The Conditions of Approval attached as Exhibit C to the Development Agreement remain in full force and effect except where superseded or modified by these Conditions of Approval.

1. Planned Development Application No. PL-2004-0184 to allow the construction of 122 townhomes, is subject to these conditions of approval and the plans, labeled Exhibit "C." Prior to final inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director
2. The preliminary development plan approval is void one year after the effective date of approval of the planned development unless a precise development plan is submitted for review and processing in accordance with the conditions of approval of the preliminary development plan. Unless otherwise provided by the development agreement for the project, the Planned Development District shall be void when the tract map expires, including any extensions thereof. Any modification to the preliminary development plan shall require review and approval by the Planning Director. A request for an extension-of-time, approval of which is not guaranteed, must be submitted to the Planning Division at least 30 days prior to the expiration date. If within 12 months after the approval by the City Council of the Preliminary Development Plan the Precise Development Plan has not been submitted for review and processing, and an extension is not granted by the City, the Planning Commission may initiate consideration of reclassification of the zoning district.
3. The permittee/subdivider shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, and agents from and against any claim, action or proceeding against the City, its officers, employees and agents to attack, set aside, void, or annul, an approval by the City concerning the subdivision, which action is brought within the time period covered by Government Code Section 66499.37. The City shall promptly notify the permittee/subdivider of any claim, action, or proceeding, and if the City fails to cooperate fully in the defense, the permittee/subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
4. Any proposal for alterations to the proposed site plan and/or design, which does not require a variance to the Zoning Ordinance, must be approved by the Planning Director prior to implementation.
5. This approval is tied to Tentative Map Tract 7489 and all conditions of approval of that map shall also apply to this approval.
6. The final map shall be filed and approved by the City and recorded in the County Records Office prior to the issuance of a Certificate of Occupancy of any unit.
7. Any appropriate historical artifacts unearthed on the site within the area covered by the final map in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge.

8. If any human remains are found during grading or construction, all work will be stopped and police called to investigate.
9. Prior to application for a building permit, a Precise Plan shall be submitted for approval by the Planning Director and shall include detailed landscaping and irrigation plans, detailed plans for all site amenities, details for decorative paving, decorative electroliers, details for fencing, walls (including the sound wall), berms, architectural plans, sign details, samples of exterior colors and building materials, and screening of all above-ground utilities, transformers and utility meters. The precise plan shall also reflect the ultimate configuration of the driveways and other public improvements.
10. The Precise Plan shall also include provisions for project staging, designated areas for construction employee parking (on- and off-site), construction office, sales office (if any), hours of construction, provisions for noise and dust control, and common area landscaping.
11. The Precise Plan shall include the following:
 - a) A copy of these conditions of approval shall be included on a full-sized sheet(s) in the plan set.
 - b) Details of address numbers shall be provided. Address number shall be decorative. Building addresses shall be minimum 4-inch self-illuminated or 6-inch on contrasting background. Address numbers shall be installed so as to be visible from the street.
 - c) Details and locations of the perimeter decorative walls shall be included and approved by the Planning Director.
 - d) Show an exterior hose bib for each townhouse.
 - e) Show fencing and fencing details as well as masonry details at prominent locations.
 - f) The pavement at the driveway entries shall be enhanced by the use of decorative pavement materials such as colored, stamped concrete (bomanite or equal), brick, concrete interlocking pavers or other approved materials. The location, design and materials shall be approved by the Planning Director.
 - g) Pedestrian walkways fronting the building(s) shall be enhanced with decorative materials such as inset brick, exposed aggregate, bomanite stamped concrete or other approved material.
 - h) Grouped mailbox design and locations, subject to Post Office approval, shall be approved by the Planning Director.
 - i) A lighting plan prepared by a qualified illumination engineer shall be included to show exterior lighting design. Exterior lighting shall be erected and maintained so that adequate lighting is provided in all common areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building(s). Exterior lighting shall be shielded and deflected away from neighboring properties and from windows of houses within the project.

- j) Townhome elevations having stone or brick work on a front elevation go all the way around the building unless otherwise approved by the Planning Director. Trim shall be capped at the level of the windowsills.
- k) All air conditioners and utility connections for air conditioners shall be located such that all external equipment is located behind solid board fences or stuccoed walls not to exceed the height of the air conditioner unless otherwise approved by the Planning Director. Infrastructure for air conditioning systems is required to be installed as a standard feature.
- l) A 160-foot setback in compliance with the project acoustical studies is required from the multi-family buildings to the railroad tracks. Softscape landscaping shall be installed on the residential side of the sound wall, between the sound wall and Street "AA."
- m) All parking spaces are to meet minimum City of Hayward on-street and off-street parking standards.
- n) Recreational amenities for the multi-family area shall be shown on the two areas indicated on the block containing buildings 9, 10, and 11 and on the linear park parallel to the railroad tracks. Recreational amenities shall include: a rose garden, a pocket park, linear parks, several open play areas, tot lots, picnic areas with a barbecue, an extensive meandering walkways and trails.
- o) Each townhouse shall have and maintain a minimum of 90 cubic feet of dedicated storage area, above standard closets and bedroom wardrobes, accessible from the exterior of the unit. Any area of a garage, in excess of the required 11 feet by 19 feet or 20 feet by 20 feet parking area, can be counted toward the minimum requirement.
- p) An area within each garage for individual garbage and recycling receptacles shall be provided and shall be clear of the required area for two cars.
- q) A bicycle rack with a capacity of at least 4 bicycles shall be included within the development at each group open space. The design and placement shall be approved by the Planning Director.
- r) A color and materials board shall be submitted to the Planning Director for review and approval. No changes to colors shall be made after construction unless approved by the Planning Director.
- s) All above-ground utility meters, mechanical equipment and water meters shall be enclosed within the buildings or shall be screened with shrubs and/or an architectural screen, to be approved by the Planning Director.
- t) No mechanical equipment shall be placed on the roof unless it is completely screened from view by the proposed roof structure. All roof vents shall be shown on roof plans and elevations. Vent piping shall not extend higher than required by Building Code. Roof apparatus, such as vents, shall be painted to match the roof color.
- u) One identification sign per public road entrance is permitted. The signs shall conform to Section 10-7.403(b)(2) of the Sign Ordinance regulations, with the locations to be approved by the Planning Director. Sign design, colors, and

materials shall reflect the architectural style of the project and shall be approved by the Planning Director.

- v) Rooflines shall be articulated to break up bulky facades. Dormer elements are acceptable. Large expanses of blank wall are not allowed. Articulate such expanses to avoid bulkiness.
 - w) All decorative window treatments shall be extended to all elevations.
 - x) All rear and side entries shall be protected by roofs with rooflines to match the pitch of roof of the front porch.
 - y) All parking stall dimensions shall conform to the City's Off-street Parking Ordinance. All tandem two car garages shall have the minimum interior dimension of 11 feet by 38 feet. All two car garages shall have the interior dimensions of 20-foot width by 19-foot depth. The dimensions shall be shown on plans. No doors, stairs, landings, laundry facilities, trash/recycle containers or HVAC shall project within the required interior parking areas.
12. Prior to final inspection all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Planning Director.
 13. All applicable requirements of the City's Security Ordinance (Ord. No. 90-26 C.S.) shall be met.
 14. All mitigation measures proposed by Charles M. Salter Associates, Inc. in his project acoustical studies, reflected in his letters to Joseph Fanelli dated February 4, 2005 (multi-family and outdoor areas) shall be implemented.
 15. All mitigation measures of the Phase I Preliminary Site Assessment prepared by Henshaw Associates, Inc. and the Phase I Preliminary Site Assessment and Phase II Soil and Groundwater Quality Investigation prepared by Northgate Environmental Management, Inc. shall be implemented.
 16. The applicant shall institute a vermin control program before, during and after the construction phases of the project.
 17. All perimeter project walls shall be treated with an anti-graffiti coat.
 18. A sound wall of varying heights but typically at approximately 18 feet above grade (which may be equivalent to a 20 foot sound wall in some locations) shall be constructed generally as shown on the Tentative Map. The final location, design, color and landscaping of the sound wall shall be subject to approval of the Planning Director.
 19. The one main entry to the multi-family area shall be designed in accordance with the preliminary landscape plans submitted.
 20. Any on-site transformer shall be located underground or screened from view by landscaping.

21. Violation of these conditions or requirements may result in the City of Hayward instituting a revocation hearing before the Planning Commission.
22. Any on-site transformer shall be located underground.
23. Prior to the sale of any unit to an individual owner (and not another developer or builder) or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private streets, alleys, common area landscaping and open space amenities as depicted on the approved Tentative Map Tract and CC&R's prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:
 - a) Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
 - b) A landscape and lighting assessment district shall be established by the City for the purposes of providing partial funding for the ongoing maintenance of the neighborhood-serving features of the sports park complex such as picnic tables, basketball courts, barbecue areas and soccer fields. The annual assessment shall be \$160 per residential lot or unit (indexed to San Francisco Bay Area cpi).
 - c) A statement regarding all HOA fees and landscaping and lighting assessment district assessments obligating individual homeowners shall be provided to homeowners on bright paper.
 - d) A reserve fund shall be maintained to cover the costs of replacement and repair of the private streets, alleys, driveways and common area landscaping.
 - e) The association shall be managed and maintained by a professional property management company.
 - f) The homeowners' association shall be responsible for maintaining all private streets and other privately owned common areas and facilities on the site including landscaping. These maintenance responsibilities shall include implementing and maintaining stormwater BMPs associated with improvements and landscaping. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association
 - g) The private streets, alleys, driveway entries, and common landscaped areas shall be maintained in good repair, and free of debris at all times.
 - h) A requirement that the building exteriors, fences, and walls shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 72 hours of inspection or within 72 hours of notification by the City's Community Preservation Officer.
 - i) The homeowners' association shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly

basis and any dead or dying plants (plants that exhibit over 30 percent dieback) shall be replaced within 10 days.

- j) Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the common area at the expense of the homeowners association pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance.
- k) The trees planted within the common areas and "bulb-outs" within the private streets shall be maintained and retained by the homeowners association. The homeowners association shall be responsible for replacing any tree removed within the "bulb-out" landscape areas with a like kind/like size tree as others within the subdivision. The tree shall be replaced within 30-days of its removal.
- l) Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.
- m) Pursuant to and to the extent authorized by Section 10-3.385 of the Subdivision Ordinance, a provision that if the homeowners' association fails to maintain the common area or private streets, so that owners, their families, tenants, guests or adjacent owners suffer or will suffer substantial diminution in the enjoyment, use or property value of the project, the City of Hayward shall have the right to enter upon the project and to commence and complete such work as is necessary to maintain the common areas and private streets, after reasonable notice, and lien the properties for their proportionate share of the costs.
- n) The garage of each unit shall be maintained for off-street parking and shall not be converted to living or storage areas. An automatic garage door opening mechanism shall be provided for all garage doors.
- o) The homeowners association shall maintain in good repair all fencing, parking and street surfaces, common landscaping, lighting, trash enclosures, drainage facilities, project signs, etc. The homeowners' association shall maintain in good repair the multi-family exteriors. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, the formation of a design review committee and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowners association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
- p) The open parking spaces within parking bays or on the street shall be provided for and maintained as visitors' spaces and shall not be used for recreational vehicles, camper shells, boats or trailers. These spaces shall be clearly marked and monitored by the homeowners association. Parking stalls shall be used only for vehicles in operating condition. The on-street parking on Street AA, Street V, Alley Z, and Street W shall be limited to 24 hour parking. The homeowners association shall remove vehicles parked contrary to this provision. The developer shall include in the CC&Rs authority to tow illegally-parked vehicles.

- q) Utility meters, when not enclosed in a cabinet, shall be screened by either plant materials or decorative screen, allowing sufficient access for reading.
- r) Any future modification to the approved site plan shall require review and approval by either the Planning Director or the Planning Commission as provided in the Municipal Code and Development Agreement.
- s) Future additions to townhouses are prohibited.
- t) The CC&Rs shall specify the outdoor collection locations of trash and recycle containers. In addition, trash and recycle containers shall not be moved to the collection location more than 24 hours prior to collection and shall be removed within 24 hours after collection.

Landscaping

- 24. Prior to the approval of improvement plans, or issuance of the first building permit, detailed landscaping and irrigation plans for all common areas shall be prepared by a licensed landscape architect and submitted for review and approval by the City. Landscaping and irrigation plans shall comply with the City's *Water Efficient Landscape Ordinance*. Landscape area shall be limited to a maximum 50% Fescue turf.
- 25. Street Trees. City policy on street trees is one for every 25 – 40 feet of frontage. Spacing of the trees is dependant on the species of trees. Smaller trees will require closer spacing. Trees shall be planted to fill vacancies in the street tree pattern, and to replace any declining or dead trees. Trees shall be planted according to the City Standard Detail SD-122.
- 26. For the linear park abutting the sound wall in the multiple-family development, there shall be built up landscaped berm to lessen the apparent height of the sound wall. Landscaping treatment shall be as shown on the landscaping plans.
- 27. Landscape plans shall specify site amenities such as, benches, tables, fencing, play equipment and barbecues, for the common open space areas.
- 28. Parking spaces separated by islands shall be landscaped. All tree wells, islands and medians shall be a minimum of 5' wide measured inside the curbs. Parking and loading areas shall be screened from the street with shrubs, masonry walls or earth berms, as determined by the Planning Director. Where shrubs are used for screening, the type and spacing of shrubs shall create a continuous 30" high hedge within two years. This measurement shall be from the top of curb.
- 29. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6" high class "B" Portland Cement concrete curb.
- 30. Masonry walls, solid building walls, trash enclosures or fences facing a street or driveway shall be continuously buffered with shrubs and vines. All above ground

meters and mechanical equipment shall be screened from the street or drives with shrubs or other means subject to the approval of the Planning Director.

31. Landscaping and irrigation plans shall be submitted for review and approval by the City prior to approval of improvement plans or prior to the issuance of building permits. Mylars of the approved Landscape plans shall be submitted to Public Works, Engineering as a part of the approved Civil plans. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80% of the dwelling units, whichever first occurs.
32. Landscaping and required trees shall be installed prior to occupancy of each building.
33. Landscape improvements shall be installed according to the approved plans and a Certificate of Substantial Completion; as-built mylars and an Irrigation Schedule shall be submitted prior to the Final Approval of the landscaping for the Tract.
34. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. All trees shown on the approved site plan including street, parking lot and buffer trees that are severely topped or pruned shall be replaced immediately.
35. A tree removal permit is required prior to the removal of any previously approved tree. See the Tree Preservation Ordinance for more information. Replacement trees shall be required for any trees removed.
36. Grading and improvement plans shall include tree preservation and protection measures, as required by the City Landscape Architect. Existing landscape areas shall be fenced throughout the construction period and shall be maintained in a healthy condition throughout the construction period.
37. Landscaping shall be designed with efficient irrigation to reduce runoff, promote surface infiltration, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution. Where feasible, landscaping should be designed and operated to treat stormwater runoff. Landscaping shall also comply with the City's "water efficient landscape ordinance" or equivalent.
38. All street chokers shall be designed without sharp angles to provide access to the street sweeper equipment.

Solid Waste

39. Compliance to the City's recycling program during construction and for the duration of the development. Please contact Vera Dahle-Lacaze, Solid Waste Manager at (510) 583-4725 for more details regarding the City solid waste program that include the following that are required to be met prior to issuance of a building permit:
 - a) A Construction Debris Recycling Statement must be submitted with the building permit application.

- b) A Construction Debris Recycling Summary Report must be completed, including weigh tags, at the COMPLETION of the project. Construction Debris Recycling Statement must be completed to obtain approval of the building permit application.
- c) The Applicant must explain what arrangements will be made for trash and recycling collection. Indicate on the site plan, the formula used for determining the necessary amount of weekly refuse service and indicate what size containers are being proposed. There must be the same capacity for recycling as there is for garbage. In other words, if there is a 2 cubic yard container for garbage then there must also be space available for a 2 cubic yard container for recycling.
- d) The Applicant must ensure that there is adequate space for a garbage or recycling truck to enter and exit the property in order to service each container.
- e) The applicant shall complete an On-Site Recycling Plan to demonstrate that 50% of the waste generated during occupancy of the facility will be diverted.

Inclusionary Housing

- 40. Prior to approval of the First Final Map, whether for the townhouses or the single-family units, an Inclusionary Housing Agreement shall be submitted and approved by the Planning Director. The Inclusionary Housing Agreement shall conform to the requirements of the Inclusionary Housing Ordinance.

Disclosures

- 41. Future potential noise from the railroad track shall be disclosed to buyer prior to the sale of a unit.
- 42. The level of vibration shall be disclosed to buyer prior to the sale of a unit.

CONDITIONS OF APPROVAL TENTATIVE TRACT MAP 7489

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

Streets

1. An Encroachment Permit must be obtained prior to the start of any construction within the public right-of-way.
2. Upon any necessary repairs to the facilities under the on-site decorative paved areas, the City shall not be responsible for the replacement cost of the decorative paving. The replacement cost shall be borne by the homeowners association established to maintain the private streets, driveways and common areas within the subdivision boundary.
3. The site plan shall be reviewed with the Fire Department and Engineering Division to ensure that the street and driveway layout is adequate to provide access for emergency, service and utility vehicles, and other commercial trucks. Changes may be necessary including increasing corner radii, driveway widths or intersection alignments and providing truck turn-arounds.
4. All of the alleys shall be designated as fire lanes and no parking will be allowed except in designated parking areas. Curbs shall be painted red and fire lane signage installed every 100 linear feet. Installation of red-curbing and signs shall meet Fire Department and City Engineer standards.

Marina Drive

5. Curb, gutter shall be removed and replaced along the project frontage to accommodate construction of the street intersections into the development. Handicap ramps shall be installed where required by the City Engineer. Street trees shall be protected in place and shall remain unless removal is authorized by the City Landscape Architect. An easement shall be dedicated along the project frontage for the required meandering walkway.

6. Marina Drive shall be restriped to accommodate the on-street parking along the tract frontage.
7. The entrances to the development shall be designed as street intersections and not as driveway entrances. Decorative pavements shall be capable of supporting a 50,000 lb. GVW load. Curb returns shall have a minimum radius of 30 feet at the curb face.
8. New standard streetlights shall be installed along the street frontage. The design and location shall be approved by the City Engineer.

New Public Street "D"

9. The street shall have a 41 foot right-of-way width, 40 feet curb to curb and shall be constructed with City standard curb, gutter, sidewalk and paving. The length of the extension of the roadway from Marina Drive shall be approved by the City Engineer. A barricade or some other structure shall be constructed at the end of the street to prevent vehicular access to the undeveloped parcels.
10. New standard street lights shall be installed along the street frontage. The design and location shall be approved by the City Engineer.
11. Appropriate signage shall be installed to reflect that no parking will be allowed on either side of the street.

Eden Shores Boulevard and Eden Park Place

12. Any curb, gutter, sidewalk, paving, utilities or landscaping damaged along these frontages shall be removed and replaced.

Interior Private Streets

13. The interior private street shall have a 25 foot right-of-way width, 24 feet curb to curb to allow for two travel lanes. The street design shall utilize standard curb and gutter and street sections shall be constructed to public street standards. Bulb outs shall be allowed at the curb returns to facilitate traffic calming within the development, but they must be designed to facilitate street sweeping.
14. Intersections with the streets and alleys shall be designed as standard street intersections. Handicap ramps shall be installed to facilitate access and circulation throughout the development.
15. Streetlights and pedestrian lighting shall be owned and maintained by the homeowners association and shall have a decorative design approved by the Planning Director and the City Engineer.
16. The entrances to the City's sanitary sewer lift station shall be gated to restrict access to the facility.

Interior Private Alleys

17. The interior private alleys shall have a 21 foot right-of-way; 20 feet face of curb to face of curb, and may incorporate rolled curbs along both sides where there are driveways. The rolled curb shall be designed to compensate for the street cross section and allow vehicles to cross without scraping or being damaged. Vertical curbs shall be used at all parking areas. The corners of the parking areas shall be rounded/curved to facilitate drainage and street sweeping unless the areas are designed to slope towards a center valley gutter or catch basin. The developer shall demonstrate that this alley width is adequate to provide a minimum of 26 feet of backup space from each garage, as measured when a vehicle is clear of the garage.
18. Signs shall be posted at the entry to Alleys "N" and "O" that they are dead ends and that there is no visitor parking.
19. Streetlights and pedestrian lighting shall be owned and maintained by the homeowners association and shall have a decorative design approved by the Planning Director and the City Engineer.

Parking and Driveways

20. The applicant/developer shall provide sufficient parking spaces for the development to meet the requirements of the City of Hayward Municipal Code. Parking stall dimensions and driveways shall meet City requirements as approved by the Planning Director and City Engineer.
21. Flares shall be provided at the driveway into each unit to prevent vehicles from driving over required landscaping and irrigation.
22. ADA compliant parking stalls and loading areas shall be located adjacent to each open space within the development. Handicap ramps and pathways shall be provided throughout the project.
23. If feasible, parking spaces shall be provided adjacent to group mailboxes and shall be designated as 10 minute parking only.

Landscaping and Irrigation

24. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
25. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private yard.

26. Prior to issuance of the first certificate of occupancy for either a single family home or a condominium building, the developer shall form a Landscape and Lighting District to fund operation and maintenance of common areas within the development. Prior to approval of the first final map, the developer shall provide a \$10,000 deposit to the City to cover the costs associated with formation of the District. The exact limits of responsibility for the District will be determined during processing of the Precise Plan for the development.

Storm Drainage

27. The on-site storm drain system within the development, excluding that located within the public right-of-way, shall be a private system owned and maintained by the homeowners association or property owners.
28. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the Alameda County Flood Control and the City Engineer. Development of this site is not to augment runoff to the District flood control facility downstream. The hydrology study shall substantiate that there will be no net increase in the quantity of runoff from the site versus the flow rate derived from the original design of the County facilities. If there is augmented runoff, off-site and/or on-site mitigation measures will be necessary.
29. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with a design to reduce discharge of pollutants and sediments into the downstream storm drain system. The plan shall meet the approval of the City Engineer.
30. The developer shall provide a copy of the Notice of Intent filed with the State Water Resources Control Board, prior to the issuance of a grading permit for the project site.
31. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff. Roof leaders shall discharge into a landscaped area prior to storm runoff entering a pipe system.
32. The developer shall prepare a Maintenance Agreement for storm water BMP's constructed as part of this project. The Maintenance Agreement shall be reviewed and approved by the City prior to recordation with the Alameda County Recorder's Office. The Agreement shall be recorded to ensure that the responsibility for maintenance is bound to the property in perpetuity.
33. The project streets, driveways and parking areas shall be designed to facilitate street sweeping, including the layout of the tree and handicap ramp bulb outs. The HOA shall be responsible for street sweeping on a regular basis.

34. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
35. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
36. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
37. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.
38. Storm water inlets shall be installed at the curb face per the City of Hayward Standard Details. The design and location shall be approved by the City Engineer.

Sanitary Sewer System

39. Sanitary sewer service is available from the City subject to standard conditions and fees in effect at the time of application.
40. The on-site sanitary sewer system shall have 8-inch public mains, designed with a manhole at all angle points and ending with a manhole. Each unit shall have a separate sanitary sewer lateral. The main design and location shall meet the approval of the City Engineer.

Water System

41. Water service is available from the City subject to standard conditions and fees in effect at the time of application. The developer shall provide calculations showing that existing and proposed water mains are adequate for the proposed development and required fire flows.
42. A new water main must be constructed between the single family residential portion and the townhome portion of the development. This main shall be connected to the existing water main in Eden Shores Blvd.
43. The proposed water main in Alley "U", multi family development, shall be connected to the water main in Eden Park Place. The proposed connection to the water main in Marina Drive can be eliminated.

44. Dead end water mains will not be allowed. Water mains must be looped and connected via public or private streets or easements. Ductile pipe is required in all easements. Control valves are required in streets prior to easements.
45. Water mains are to be located 5 feet from the face of curb.
46. Each residence must have a separate service and radio read meter. The services installed for the proposed light industrial uses will be abandoned by City Forces at developers expense. Reduced backflow prevention assemblies must be installed on irrigation meters per City of Hayward SD 202.
47. Fire hydrants shall be provided throughout the development. The locations shall be approved by the Fire Department during review of the Precise Plan and prior to start of any construction. Fire hydrant locations shall be identified with blue reflective pavement markers installed in the street adjacent to the fire hydrant.
48. Fire hydrants for the single family development shall be modified steamer type which shall be installed per City standards. Fire hydrants for the multi family development shall be double steamers.
49. Fire flow requirements for the single family development shall be 1,500 gallons per minute at 20 psi. Fire flow requirements for the multi family development shall be 3,000 GPM at 20 psi..

Utilities

50. All utility services shall be "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, SBC and SBC Broadband Company regulations. Transformers, and switch gear cabinets, shall be placed underground unless otherwise approved by the Planning Director and the City Engineer. Underground utility plans must be submitted for City approval prior to installation.
51. The developer shall provide and install the appropriate facilities, conduit, junction boxes, etc., to allow for installation of a fiber optic network within the subdivision.
52. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed streets shall be located outside of the sidewalk within the proposed Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
53. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Fire Protection

54. The common wall (party wall) constructed between each unit shall be constructed with one-hour construction.

55. Each condominium will require interior smoke detectors (hard wired with battery backup) per the CBC.
56. There are several condominium buildings that are in excess of 5,000 square feet in size. Automatic fire sprinkler systems are required for structures in excess of 5,000 square feet. However, the type of system (commercial or residential) has yet to be determined pending further information on building occupancy classifications. In addition, the proposed duets are required to have automatic fire sprinkler systems as they are being constructed as three story structures.
57. The following fire sprinkler system options are pending review:
- a. If the buildings are classified as R-3 occupancies, the Fire Department will require that each condominium unit be equipped with an automatic fire sprinkler system designed and installed per NFPA 13-D (Modified) standards. The fire sprinkler protection shall be supplied from the domestic water line and independently controlled. Fire sprinkler modifications shall include sprinkler heads within the attics and garages;
 - b. If the buildings are classified as R-1 occupancies, the Fire Department will require each building to have a commercial fire sprinkler system installed with its own dedicated fire service line, conforming to NFPA 13 and 24 standards;
 - c. The proposed condominiums are required to have automatic fire sprinkler systems installed per NFPA 13-D standards.
58. Each unit protected with fire sprinklers shall have an interior alarm signaling device which will activate upon waterflow of the fire sprinkler system.
59. Each unit protected with fire sprinklers shall have an exterior alarm bell installed in a location approved by the Fire Department.
60. Each fire sprinkler system shall be equipped with a spare sprinkler head box located at the riser.
61. The fire line service shall be installed and arranged per NFPA 13-D and /or NFPA 13 Standards, and the control valve shall be locked with a chain and break-away type of lock if it is exposed (above grade)
62. Third floor areas within the units shall be limited to less than 500 square feet.
63. Addressing for each building as well as individual condominium units shall be assigned and approved by the Fire Department. Numbers shall be a minimum of 4 inches in height (self-illuminated) and be visible from the street.
64. Approved spark arrestors shall be installed on chimney caps.
65. Exiting requirements shall be per the CBC, Chapter 10.

Hazardous Materials

66. All mitigation measures of the Phase I Preliminary Site Assessment prepared by Henshaw Associates, Inc. and the Phase I Preliminary Site Assessment and Phase II Soil and Groundwater Quality Investigation prepared by Northgate Environmental Management, Inc. shall be implemented

Retaining Walls

67. All retaining walls shall be constructed with decorative reinforced concrete. The exposed face of any retaining wall shall not exceed 6 feet from ground to top of wall.
68. The retaining wall/sound wall combination along the rail road property line shall constructed with decorative reinforced concrete and shall incorporate vine pockets to allow landscaping to cover both sides.

Dedications, Easements and Deed Restrictions

69. The final map shall reflect:
 - a. Five-foot-wide public utility easements (PUE) along the edge of the public/private streets where necessary as determined by the City Engineer.
 - b. Dedication of a No Build Easement over Parcels A, B, C and D within the single family development. A No Build Easement may be necessary over a portion of the lots within the multi family development to meet building code requirements for openings along property lines.

Subdivision Agreement

70. Execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS

71. Required water system improvements shall be completed and operational prior to the start of combustible construction to the satisfaction of the Fire Chief.
72. A minimum 24-foot-wide all-weather access road, engineered for 50,000 pounds gross vehicle weight, shall be maintained for emergency vehicle access.

DURING CONSTRUCTION

73. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 7:00 AM to 6:00 PM on weekdays; there shall be no grading or construction activities on Saturdays, Sundays or holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. Letters shall be mailed to surrounding property owners and residents (within 200 feet of the project boundary) with this information.
- f. The developer shall participate in the City's recycling program during construction;
- g. Daily clean-up of trash and debris shall occur on Marina Drive, Industrial Blvd., Eden Shores Blvd., Eden Park Place and other neighborhood streets utilized by construction equipment or vehicles making deliveries.
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);
- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;

- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
 - p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
 - q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
 - r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
 - s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
 - t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See *"Building Maintenance/Remodeling"* flyer for more information;
 - u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
 - v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.
74. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
75. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.
76. The developer shall be responsible to adhere to all aspects of the Storm Water Pollution Prevention Plan (SWPPP) as approved per conditions of approval above.
77. Construction Administration services shall be provided by the project landscape architect. Services to include:

- a. Observation of irrigation system before burying pipes;
- b. Observation of plant material upon delivery to the site;
- c. Observation of layout and placement of plant material upon delivery to the site;
- d. Observation for maintenance period commencement; and
- e. Observation for final acceptance.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

- 78. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
 - a. Supplemental Building Construction and Improvement Tax;
 - b. School Fees at the rates agreed to in the Development Agreement; and
 - c. Sewer and Water Connection Fees for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
- 79. Any damaged curb, gutter and/or sidewalk along the project frontages shall be repaired or replaced to the satisfaction of the City Engineer.
- 80. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.
- 81. The on-site street light electroliers shall be in operating condition as approved by the Planning Director and the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

- 82. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
- 83. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.

84. An AC overlay along Marina Drive or Eden Park Place frontage may be required by the City Engineer, if it is determined that it is necessary due to deterioration resulting from heavy traffic during the construction.
85. The improvements associated with the Pacific Gas and Electric Company, SBC and ComCast shall be installed to the satisfaction of the respective companies.
86. The subdivider shall submit an "as built" plan indicating the following:
 - a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric Company, SBC and Comcast, etc; and
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

**PROPOSED
CITY OF HAYWARD
Eden Shores East
Oliver East Section
of the South of Route 92
Oliver & Weber Properties Specific Plan Amendment
8/05/05**

Prepared by Duc Housing Partner

**City of Hayward South of Route 92
Oliver & Weber Properties
Specific Plan Amendment
Eden Shores East
Oliver East Section
8/05/05**

The following are amendments to the South of Route 92/ Oliver & Weber Properties, Specific Plan (SP) and are intended to modify the Specific Plan to the extent discussed here in. The Amendments are as follows:

Land Use Map (Figure IV-1):

Change the Specific Plan designations in the subject area (see attached Map) as follows:

The area north and south of Eden Shores Blvd. and west of Marina Drive (approximately 29.2 acres) currently designated for Light Manufacturing (approximately 27.6 acres) and Business Park (approximately 1.6 acres). The Light Manufacturing (LM) and Business Park (BP) designations for this area will be changed to a Planned Development (PD) designation.

Executive Summary (pp i — ii)

The "South of Route 92" Specific Plan Area includes the properties originally owned by the Oliver Trust (238 acres), Mr. John Weber (80.5 acres), the City of Hayward (12.2 acres) and the Alameda County Flood Control Water Conservation District (2.0 acres), totaling ~~333.5~~ approximately 332.7 gross acres. The Specific Plan calls for a mixed-use development with business park, light manufacturing, retail, residential, parks and open space land uses. There is also a parcel next to Route 92 owned by the Oliver Trust but detailed planning and analysis for that site is not provided as a part of this Specific Plan. The eight acres are not included in the ~~333.5~~ 332.7 total gross acres.

Approximately 54 acres of business park are planned between Hesperian Boulevard and the SP/UP Railroad right-of-way on Oliver Trust and City of Hayward land. Typical business park uses will include office and research and development. ~~Approximately 21 acres of Oliver East property and about~~ Approximately 21 acres of the Weber property will contain light manufacturing activities that have no noxious impacts on their surroundings. Adjoining the business park, a 25-acre community sports park with active recreation facilities will be ~~has been constructed pursuant to the original Specific Plan as adopted by the City in 1998 developed. The land will be~~ owned by the City and managed by the Hayward Area Recreation District (HARD).

Approximately 578 new homes will be built on about 81.5 acres on Standard Pacific land west of the SP/UP Railroad right-of-way (Oliver West). Within the this residential area, two neighborhood parks, (5 acres and 2.5 acres) are planned. An internal trail system will link homes and parks. On the east side of the railroad right-of-way (Oliver East), on approximately 29 acres of the Hayward Oliver Owners LLC property, will be constructed approximately 261 new homes. Within the east residential area, private linear parks, trails and open space areas will be

provided. The trails would link the two proposed developments as well as the Sports Park and the Bayland Trail.

Based on professionally conducted field investigations, over half of the Weber parcel and very small areas on the Oliver West property have been delineated as jurisdictional wetlands. About 0.03 acres (of 0.48 acres) on Oliver West are proposed for development and therefore, will need to be mitigated. There are no Jurisdictional wetlands on Oliver East have been delineated. The wetland adjacent to Hesperian Boulevard was filled pursuant to a U.S. Army Corps Nationwide Permit and fully mitigated and the other jurisdictional area has been avoided. In this plan all but about 1.7 acres (of 52.1 acres) on the Weber property have been excluded from development. The 1.7 acres will need to be mitigated. Also, Mr. Weber intends to pursue approval of jurisdictional agencies to develop an additional two acres.

Open space buffers along the west and north edges of the Oliver West residential area and a masonry wall on the perimeter of the Weber industrial area are planned have been completed. They will separate these properties from the abutting Wildlife Conservation Board's Baumberg Tract existing wetlands and the 18-acre Weber salt marsh habitat, which will be has been preserved.

Access will be has been provided from existing arterials. The business park and sports park will have direct access from Industrial and/or Hesperian Boulevards. A street (Eden Shores Blvd.) running from the Hesperian Boulevard/Tripaldi Way intersection westerly through the business park and across an overpass spanning the railroad tracks will provides primary access to both the east and west residential area. The light manufacturing area on the Weber property will be accessed from Old Arden Road. Plan area utility systems will now connect to the existing water, sewer and storm drainage systems in the vicinity. Utility master plans systems for the plan area provide for on-site water provision, sewage disposal and stormwater detention and drainage.

The quality of the development is controlled by this Specific Plan and the associated Development Guidelines. The guidelines (under separate cover) address the character, design and maintenance of streetscapes, site planning and landscaping, lighting, signage and, to a lesser degree, architecture within the plan area. The primary goals for design and development are to create consistent character and enduring quality. Design creativity is encouraged, but numerous standards are provided. The guidelines will be used in conjunction with City standards and Covenants, Conditions and Restrictions (CC&R's).

The implementation measures for the Specific Plan include a development sequencing concept, financial analysis, fiscal analysis, amendments to the General Policies Plan and habitat mitigation concepts. The sequencing concept, which assumes that increments of each use will be built in each phase, serves as the basis for phasing of utility and roadway improvements. These assumptions also are used in the financial and fiscal analyses. Public and private responsibility for the development and long term maintenance of key facilities, services and open space have been identified.

The financial analysis establishes who is responsible for financing all of the improvements and concludes that the development plan is financially feasible. The fiscal analysis assessed the costs and benefits to the City of Hayward and concludes that the project will create net fiscal benefits for the City.

~~In addition to~~ At the time of adoption of the Specific Plan, a General Plan Amendment has been
was prepared for the Oliver West and Weber parcels within the South of Route 92 plan area. This
action will required and received voter approval for development on the Oliver West and Weber
properties in order for the Specific Plan to be fully implemented. The Oliver East parcel,
currently formerly in Alameda County but within the City's sphere of influence, will be has now
been annexed to the City.

A Specific Plan Environmental Impact Report ~~has been~~ was prepared. It must be and certified, and
h Habitat mitigation measures were agreed upon by the appropriate jurisdictional agencies
before applications for development of environmentally sensitive areas can occur.

ii

Chapter I.

Introduction - No Change except for ownership discussed on page I-1 paragraph 3 as follows:
There are four major landowners and the total acreage in the plan area is 333.5332.7 gross acres.
The ~~Oliver Trust~~ Hayward Oliver Owners LLC owns 85.62 net acres. Standard Pacific owns
81.5 net acres (this may include homes already sold to home buyers), and the City of Hayward
owns 25 acres for a total of 238.8192.12 net acres. The remainder of the land has been dedicated
to the City for such facilities as streets, trails, buffers, a neighborhood park and open space and
the like, on two parcels. Figure I-2 has been modified to reflect new landowners. The Oliver
Estate and Trust combines the Gordon Oliver Trust and the Alden Oliver Charitable Trust. The
Hayward Historical Society and the Eden Community Church are each primary beneficiaries of
the Oliver Trusts.

Chapter II.

The Plan Area and Its Context - No Change except a portion of the land in Oliver East that
was unincorporated has been annexed to the City of Hayward and the Urban Limit Line has been
adjusted and is now consistent with this Specific Plan and the City boundaries. Additionally,
jurisdictional wetlands have now been identified on the Oliver East property and have been
either filled pursuant to a U.S. Army Corps Nationwide Permit or avoided.

Chapter III.

Plan Objectives - No Change

Chapter IV.

Land Use

A. Introduction

The land use concept for the plan area calls for both the development and the conservation of land. It creates a combination of land uses intended to minimize congestion by locating housing near jobs and near recreation activities. There are four distinct development areas: 1) the business park, ~~light manufacturing~~ medium density residential, and retail commercial area on
Oliver Trust and City of Hayward ~~Hayward Oliver Owners LLC~~ land (hereafter together referred to as "Oliver East"); 2) the residential area on Standard Pacific ~~Oliver Trust~~ land ("Oliver West") is currently being constructed and homes sold., 3) the light manufacturing area and wetlands area on Weber land ("Weber") and 4) the sports park on ~~Oliver Trust/ACFCWCD~~ City of Hayward land ("Sports Park"). See Figure IV-1: Land Use for the location of each area. Associated with

these uses are neighborhood parks and trails. Acreage for the conservation and enhancement of wetlands as permanent open space is also provided.

Following are Figure 1V-I: Land Use and Tables 1V-1: Land Use Program and 1V-2: Residential Program with explanatory text about the overall arrangement of land uses and the development program and concept for each area. As stated in the Introduction, the land use map and land use program do not include the Oliver-92 acres (about 40 acres) although a concept for that area is expressed below.

B. Overall Development Concept – No Change

C. Business Park (Oliver East)

Along Hesperian and Industrial Boulevards are established industrial areas, with fairly high noise, traffic volumes and industrial activities. Bounded by both these roadways and the SP/UP Railroad tracks and adjacent to existing industrial uses, the Oliver East site is well suited to be a unique campus-like business park in Hayward. To be called the Alden Oliver Business Park, it has excellent visibility for higher profile businesses who may wish to locate there. It is near State Route 92 and the San Mateo Bridge and near Interstate 880, providing strong ties to the Silicon Valley and the Oakland and San Francisco business centers and airports. Parcels on the site will have ready access from two of the City's primary arterials. These locational characteristics, along with the Specific Plan Development Guidelines that will ensure high quality development, create a unique opportunity in Hayward for successful businesses to find a premier location for their headquarters and/or office workforce.

The entire business park covers a total of ~~54.14~~ 52.54 acres of net developable land. Roads occupy ~~about 6 acres~~ the remainder of land within the business park area. (See Table 1: Land Use Program.) The business park is to be accessed from an extension of Tripaldi Way, called Eden Shores Blvd. (Street A) herein, and a north-south collector street, called Marina Drive (Street B), which cross each other in the middle of Oliver East.

The majority of the frontage along Hesperian and Industrial Boulevards is devoted to business park uses. Other business park sites will have good addresses along the internal streets, Eden Shores Blvd (Streets A) and Marina Dr. (Street B). On sites with high visibility, large or mid-sized business park sites could be accommodated.

It is estimated that there would be about 2985 employees in about 1,415,960 square feet of new business park development. It would be built with a maximum floor area ratio of 0.60 so that the building square footage would not exceed 60% of each building site. The rest of each parcel will be devoted primarily to landscaping, parking and pathways, as set forth in the Development Guidelines. No height restriction is placed on these business park parcels. Buildings may be located on parcels ranging from about 2.5 acres for smaller users to 28 acres for the largest single campus-type user who could occupy the entire northeast quadrant of Oliver East.

D. Light Manufacturing (~~Oliver East and Weber~~)

~~1. Oliver East~~

Near the SP/UP railroad tracks in Oliver East, light manufacturing uses are planned on about 27.6 acres, for about 964 employees in about 517,000 square feet. Buildings here will have no height limit and a floor area ratio (FAR) of 0.40, limiting building square footage to not more than 40% of each parcel. In this location, manufacturing users may be able to secure spur tracks. One large or several smaller parcels, probably for light industry, are feasible adjacent to the railroad tracks and the community sports park. Typically on smaller parcels than the business park parcels, the light manufacturing sites will likely range from 1 to 6 acres. Roads will occupy about 5 acres in the Oliver East light manufacturing area.

The entire Alden Oliver Business Park, including both the business park and light manufacturing sites, is to be developed within a unified campus-like setting with well landscaped streets, screened parking and pleasant common areas for the enjoyment of those working in the business park, as defined in the Specific Plan Development Guidelines. An attractively designed overpass leads from the business park to the Oliver West residential neighborhoods.

2. Weber -- No Change

E. Retail

A local-serving retail site is planned at the corner of Hesperian Boulevard and Street A-Eden Shores Blvd. in the plan area. It is placed there to be convenient for travelers coming and going from the plan area and for those traveling on Hesperian Boulevard. About 109 employees will work here, serving existing and planned businesses and residents. The range of acceptable uses is set forth in the Development Guidelines for the Specific Plan. The maximum floor-area ratio for this retail site is 0.30, with building square footage not to exceed more than 30% of the site area.

It is firmly established that the site is for neighborhood serving retail but the actual size for this local serving retail use will may vary from 3.5-5.0 acres depending upon market conditions ten or more years from now when it is expected to be built. (See sequencing discussion in Chapter X: Implementation.)

F. Residential

Although Hayward is located on the edge of San Francisco Bay, few Hayward residential neighborhoods are located within walking distance of the Bay Trail which is proposed to pass alongside Oliver West. The new neighborhoods will also be close to a-the major new community sports facility, the Sports Park proposed on Oliver East. Also, internally, the Oliver East and West housing area is unified by an internal on-street and off-street trail system that runs between two neighborhood parks - the Bay Trail and the Sports Park.

On the west side the layout of the streets and the orientation of the homes focus toward the Bay. From many of the homes, views of the Bay waters will be possible from second story vantage points. Housing on the western edge of Oliver West will face the Bay, on a street next to an open space buffer with a water channel. Traveling down many of the residential streets, there will be long range views towards the Bay.

About 578 residential lots can be accommodated in Oliver West. (See Table IV-2) Residential Program.) A mixture of single-family detached housing types, there are expected to be about 341 homes on 5000-square foot lots, about 143 homes on 6000-square foot lots and about 94 homes

on 8000-square foot lots. The assumed average household size is 3 persons per household yielding about 1740 new residents.

Originating at a roundabout at the foot of the overpass, the development of the 5000-square foot lots includes about 341 homes on about 41.3 acres, a 5-acre park and segments of the internal trail system that links the homes to the park. On 6000-square foot lots, about 143 units are located on about 22.8 acres next to the open space buffer along Old Alameda Creek and the Alameda County Flood Control Water Conservation District easement. An internal trail system and a 2.5-acre park link this area to the other neighborhoods. Occupying the southwest corner of the site, about 94 units are arranged on 8000-square foot residential lots lying inland of the open space buffer abutting the WCB lands on about 19.4 acres.

Oliver East will be made up of two distinct neighborhoods yielding approximately 261 homes. The first will be single-family homes (139) at approximately 10.7 dwelling units per net acre (Medium Density) and the second, attached town homes (121) at approximately 14.0 dwelling units per net acre (Medium Density). The assumed average household size is 3 persons per household yielding about 783 new residents. More specifically they are described as follows:

Within the single-family area will be a neighborhood of approximately 139 single family homes with a typical lot size of 2244 square feet.

There would be three entries, two from Marina Drive and one from the cul-de-sac also serving the business park parcel to the north. Public streets and private alley ways would provide access to the homes. The interior public streets have been designed in a loop system to maximize visibility and safety. 25-foot wide alleyways would provide access to the garages at the rear of the homes. Where possible the alley ways would loop to provide easy egress. While some of the homes would gain front door access conventionally, from the public streets and sidewalks, other homes are served by meandering landscaped pedestrian walkways.

In addition to the private open space provided each home, approximately 2.4 acres of landscape and open space would be spread throughout the community. These areas may include: a rose garden area; a pocket park; a linear park; several open play areas; tot lots; picnic areas with a barbeque and extensive meandering walkways and trails. The trails would include walking and biking and would connect to the Bay Trail System by way of an at grade pass under Eden Shores Blvd. where it would connect to the main trail that continues west to the Baylands and south to the Eden Shores Sports Complex. A Homeowners Association will maintain all parks and open space areas.

Within the town home area (approximately 11.4 gross acres) would be a neighborhood of approximately 122 attached townhomes in buildings with 4, 6 and 8 homes.

Private streets would provide vehicular access to the homes. These streets have been designed in a loop system to maximize visibility and safety and to provide a direct route to the respective homes. Two entry points, a main entrance from Marina Drive and a secondary access from Eden Park Place would serve these private streets. Homes would gain front door access by meandering landscaped pedestrian walkways.

In addition to the patios and balconies, approximately 5.0 acres of open space are spread throughout the community. These areas may include: pocket parks; open play areas; and extensive walks, meandering walkways and trails. The trails would include walking and biking and would connect to the Bay Trail system that continues west to the Baylands and south to the Eden Shores Sports Complex. A Homeowners Association will maintain all parks and open space areas.

15/4

Table IV-2A: Residential Program
South of Route 92 Specific Plan (Oliver East)

<u>Lot Size</u>	<u>Acres</u>	<u>No. of Units</u>
<u>Oliver East</u>		
2244 (typical lot size)	17.7	139
n/a	11.5	122
Total	29.2 Total Acres	261 Total Units

15/4

Table IV-2: Residential Program
South of Route 92 Specific Plan (Oliver West)

<u>Lot Size</u>	<u>Acres</u>	<u>No. of Units</u>
5000 sq. ft.	39.8	341
6000 sq. ft.	22.3	143
8000 sq. ft.	19.4	94
Total	81.5 Total Acres	578 Total Units

G. Neighborhood Parks

Neighborhood parks are located conveniently for the residents on the Oliver West site. One park is 5 acres and it abuts the open space buffer. The other is 2.5 acres and it is connected by an internal trail to the larger park. Both parks will have passive recreation facilities, such as lawn areas and childrens play equipment, for local residents' use and the larger park include public facilities such as tennis courts and an outdoor basketball court. A small parking area is provided at the 5-acre park for visitors. The 2.5-acre park will be a private park for the Oliver West homeowners, with landscaping and possibly a swimming pool or tennis courts.

In addition to the 25 acre Sports Park, Oliver East would include a total of 7.4 acres of private parks and open space areas. These areas may include: a rose garden area; a pocket park; a linear park; several open play areas; tot lots; picnic areas with barbeques; and extensive meandering

landscaped walkways and trails. The trails would include walking and biking and would connect the two projects by way of an at grade pass under Eden Shores Blvd. to the Bay Trail system where it would connect to the main trail that continues west to the Baylands and south to the Eden Shores Sports Complex. A Homeowners Association would maintain all open space areas.

H. Sports Park – No Change except construction of the Sports Park has been completed.

I. Wildlife Habitat – No Change

J. Open Space Buffers – No Change

Chapter V.

Circulation — With the exception of D Street, which is not yet constructed, all streets are in place, operational and adequate to serve the designated uses.

Chapter VI.

Public Facilities and Services

A. Police Services — No Change except a large portion of the land in Oliver East that was unincorporated has been annexed to the City of Hayward

B. Fire Services – No Change except a large portion of the land in Oliver East that was unincorporated has been annexed to the City of Hayward

C. Schools

The schools that would serve residents of the plan area include: Lorin Eden Elementary School, Ochoa Intermediate School and Mt. Eden High School. All of the City's schools are presently overcrowded and the Governor's guideline of 20:1 students to teachers ratio has made crowded conditions worse. The three schools listed above are sufficiently large to add portable and/or stickbuilt classrooms. Assembly, cafeteria and office space appear to be adequate to handle the influx of students.

~~The plan area~~ Oliver West will generate about 127 elementary school students, 35 intermediate school students and 52 high school students. Based on the same calculations, Oliver East will generate approximately 57 additional elementary school students, 16 additional intermediate school students and 11 additional high school students. This will necessitate the provision on the Lorin Eden School site of facilities for ~~approximately six additional~~ classrooms.

Chapter VII.

Recreation, Open Space and Conservation – No Change

Chapter VIII.

Utilities – No Change

Chapter IX.

Relationship to the General Plan

A. Introduction

The South of 92 Specific Plan has been conceived in the context of Hayward's geographic and economic features and the City's policy framework. The foremost expression of the City's policies regarding development is the City's General Plan. In this chapter, a review of the ways in which this Specific Plan is or is not consistent with the General Plan is provided. Pertinent ~~existing~~ General Plan policies or strategies in effect in 1998 when the existing Specific Plan was adopted are identified in the ~~left column~~ standard print (with policy or strategy number and General Plan page referenced) and Specific Plan features that do or do not respond to General Plan policies or strategies are described in the ~~right column~~ italic print. The subsequent section will address General Plan policies or strategies adopted in 2002, which are now in effect.

GENERAL PLAN (In effect in 1998)

B. Land Use

Strategy 5-Page 11-16: Establish architectural review standards that require the height and bulk of buildings, rooflines, building materials and colors to be harmonious with existing development or within specific plan areas.

The Specific Plan includes Development Guidelines regulating buildings form, bulk, and character throughout the Specific Plan area.

Strategy 7/page 11-16: Develop landscape standards to include screening of bulky buildings, parking, and outdoor storage and buffering of heavy traffic.

The Specific Plan/Development Guidelines include landscape design and maintenance guidelines to screen industrial and business park buildings and activities in the plan area.

Strategy 9/page 11-16: Reduce the confusing overlay of signs of different sizes, shapes and types with more restrictive standards or with design standards for each area.

The Specific Plan Development Guidelines require a consistent signage program in the plan area.

C. Circulation

Strategy 2/page 11-16: Encourage mixed development to reduce need for multi-destinational trips (typically car) to balance needs of those coming home and leaving for work (better transit utilization).

The Specific Plan area contains a wide variety of employment opportunities and single family residences and neighborhood-serving retail.

Strategy 5/page 11-15: Continue to require large development to provide bus turnout and shelters and pedestrian access to transit stops.

Bus turnouts and shelters are planned for the AC transit bus stops on Hesperian adjacent to the Specific Plan area. The only bus stops planned within the plan area are for school buses.

D. Housing & Neighborhood Preservation

Strategy 1/page IV-9: Achieve a balance between the local employment base and the housing supply.

There will be about ~~4600~~ 3636 jobs and ~~578~~ 839 homes in the Specific Plan area. The proposed

amendments for Oliver East will reduce the number of jobs by approximately 964 jobs and will increase the number of homes by about 261.

Strategy 4/page IV-19: Recognize the need for some lower- and moderate-income family housing when considering new residential developments.

The Specific Plan contains no low or moderate income housing. It is designed to address Hayward's "Home ownership gap" and the need for housing for professional, technical and managerial employees. Note: The City has adopted an Inclusionary Housing Ordinance, which took effect January, 1 2004. Homes in Oliver East will include "affordable units" as defined under the City's Inclusionary Housing Ordinance.

Strategy 1/page IV-20: Promote a sense of neighborhood identity within the city through some definition of neighborhood character and boundaries.

The Specific Plan Development Guidelines call for landscape features at all entries and on the overpass to create strong identity to the plan area.

Strategy 5/page IV-20: Consider potential significant impacts of new development (physical, economic, social, etc.) on existing neighborhoods before approval of development.

A complete environmental impact report and fiscal analysis has been prepared regarding the potential impacts of the Specific Plan's implementation.

Strategy 14/page IV-21: Establish buffers such as landscaping or transitional land uses between residential areas and conflicting land uses.

Specific Plan residential areas are buffered from business park and industrial uses. The residential area includes a buffer to protect adjoining natural habitat from the effects of household pets / feral animals.

E. Economic Development

Strategy 1/page V-8: Assess costs and revenues associated with new development; consider environmental costs and economic benefits such as jobs.

Per State law, a financial analysis, fiscal analysis and full EIR have been prepared as part of the Specific Plan process.

F. Open Space, Parks and Recreation

Policy/Page VII-13: Open space will be retained where it is important to establish the natural setting of the City, to preserve natural ecology, to preserve cultural heritage, to avoid environmental hazards, to avoid development costly to the public, or to attain adequate space for recreation.

Of the original 1200 acres in the plan area, 773 have been sold to the Wildlife Conservation Board. About 52.1 acres of wetlands are proposed for development, with mitigation on site. Two additional acres of Weber wetlands may be proposed for development with mitigation required. A 25-acre sports park, open space buffers and neighborhood parks are ~~planned~~built.

Strategy 1/page VII-15: Encourage interagency cooperation enabling bayland acquisition and marsh restoration; give priority to acquisition and visual improvements of lands flanking route 92.

The Wildlife Conservation Board acquired 773 acres if the original plan area. The Oliver Trust owns approximately 40 acres next to Route 92; approximately 32 acres are wetlands and will not be developed. Eight acres are uplands. If development occurs on these eight acres, it will include displays of the natural and manmade history of the area.

Strategy 5/page VII-15: Evaluate the impacts of any development proposal on traffic congestion, seismic safety and ecosystems.

A full EIR addressing traffic, safety and ecosystems has been prepared regarding the potential impacts of the Specific Plan.

Policy/page VII-16: The City will seek to increase the resources available for recreation.

The Specific Plan includes a new 25-acre community sports park and two new neighborhood parks.

Strategy 6/page VII-17: Expand and maintain hiking, biking and equestrian trails and pleasure drives which reveal natural and historic features and provide picnic sites.

A new internal trail system is part of the residential plan. From the 5-acre park, a vista toward the WCB-owned Baumberg Tract is planned.

Strategy 9/page VII-17: Encourage the private sector to support and/or develop recreational facilities in industrial areas for the use of their employees and the public.

A 25-acre sports park along Hesperian Boulevard, convenient to most Industrial Corridor workers and the public, is part of the Specific Plan.

G. Environmental Concerns

Strategy 2/page VII-15: Continue utilization of resources along the bay which are consistent with open space character such as salt production, seafood farming, fishing, grazing and energy generation from natural processes.

About 773 acres that were once in salt production have been sold to the Wildlife Conservation Board. ^{buffer} A buffer with a water channel will be created on the west and north edges of Oliver West. ^{no burn?}

Strategy 2/page VII-17: Maintain conformity of new development with the principles and standards for land use compatibility, noise exposure and noise mitigation contained in the Noise Element.

Noisier uses are separated from residential uses in the plan area. Residential uses are separated from unacceptable arterial and railroad noise by adequate distances and appropriate sound walls.

Policy/page VIII-18: The City will seek adequate precautions from hazardous materials.

Industry requiring hazardous materials use will not be permitted in the Specific Plan area.

Policy/page VII-18: The City will seek to provide an appropriate level of fire protection.

The Developer will purchase firefighting apparatus and signal preemption devices as selected by the Hayward Fire Department.

Strategy 1/page VIII-19: Promote development patterns integrated with existing transit systems; promote transit, bike, and pedestrian circulation.

Several transit lines serve the Specific Plan area; mixed uses encourage local commutes; trails and sidewalks in employment and residential areas encourage walking.

H. Urban Design

Policy/page IX-9: Principles of urban design will be used to guide development into compatible, attractive patterns.

The Specific Plan includes Development Guidelines to ensure compatible and attractive development in the plan area.

Strategy 4/page IX-9: Plant more trees between sidewalks and streets to break up expanse of paving and give continuity to street trees; maintain distinctive lower "B" Street tree canopy.

The Development Guidelines require street trees between the sidewalks and street on all major roadways. On Hesperian and Industrial and all business park street, wide berms with trees and shrubs are required

Strategy 5/page IX-9: Develop road right-of-ways as open space corridors for vehicular, pedestrian and bike movement; utilize alignments and street scape to emphasize activity centers, land marks and open space.

The Specific Plan Development Guidelines require ample landscape on all streets, landscaped trails in "parkway character" along designated residential streets. The overpass arrives at and focuses on a neighborhood park. Two roundabouts provide special landscape features.

Strategy 6/page IX-9: Seek to connect open spaces such as parks, school yards and golf courses with pedestrian and bike ways, creek side walks, utility green ways and future fault line green way.

The Specific Plan includes Development Guidelines to ensure compatible and attractive development. Internal trails in residential areas that link parks, homes and open space are part of the Specific Plan.

Strategy 7/page IX-9: Identify and enhance neighborhoods and other special districts with special treatment of entrances, distinctive street trees, and continuity of architectural style.

The Specific Plan Development Guidelines call for well-landscaped entries, street trees, and architectural continuity.

I. Housing

Program 1.1.5/page 87: To provide opportunities for above moderate income housing, the City will encourage the creation of large-lot, estate-type housing with appropriate amenities in selected areas.

In the plan area, about 94 homes are planned on 8000-square foot lots. ?

Policy 3.3/page 97: Promote distribution of low and moderate income housing throughout the City.

No low or moderate income housing is provided for in the Specific Plan. Note: The City has adopted an Inclusionary Housing Ordinance, which took effect January, 1 2004. Homes in Oliver East will include "affordable units" as defined under the City's Inclusionary Housing Ordinance.

J. Growth Management

II-A/page 2: Urban Limit Lines will be established in order to shape a city that retains a natural setting, that is efficient to service and that has a distinctive sense of place.

The sale of Cargill's Baumberg tract placed 64% of the original Specific Plan area in permanent open space outside the Urban Limit Line. The proposed Urban Limit Line in the Specific Plan includes the plan area. A new open space buffer with water channel forms the new urban edge.

Statement/page 7: Baylands open space beyond the urban limit line will be better exposed and utilized as a feature of Hayward... The City will resist any changes in the definition of wetlands or mitigations, which would result in the net loss of Hayward open spaces.

A 5-acre park will include a vista of the baylands and distant bay. About 3% of the potentially jurisdictional wetlands are proposed for development and will be mitigated.

1/page 7: The gladioli fields should be annexed to the City. Retention of open space views and potential use of the property for recreation or park purposes, such as an amateur athletics sports complex, should be carefully evaluated as part of any Specific plan study.

The Specific Plan calls for annexation of the gladioli fields (Oliver East) as business park and 25-acre community sports park.

2/page 7: Development adjoining the Baylands should provide for public access along its Baylands border.

A 5-acre park provides bayland and distant bay vistas.

3/page 7: A salt manufacturing exhibit should be developed as an educational feature if the Baylands and be located along the Bay Trail.

As noted in Chapter 1: Introduction, the 40 acres by Route 92 owned by Oliver are not planned in detail in the Specific Plan. On the 8 acres of uplands, on which the former saltworks is located, some type of exhibit about salt manufacture will be included when development occurs.

4/page 7: The Bay Trail should go through the Baylands; on-street segments through the industrial area should be replaced by an alignment on the levees or along the edge of the Baylands.

An extension of the Bay Trail was initially planned through Oliver West but ABAG and EBRPD are now proposing a route through the WCB-owned Baumberg Tract.

6/page 7: Continue to pursue General Policies Plan goals and strategies for retention of open space in the Baylands with the advice of the Hayward Area Shoreline Planning Association (HASP), the United States Department of Fish and Wildlife and the Audubon Society.

Sixty four percent of the original Specific Plan area is now permanent open space. For the current plan area, two of 52.5 acres of wetlands are proposed for development. Weber intends to pursue approvals for development of an additional 4 acres. Jurisdictional authorities have been consulted throughout the planning process.

7/page 7: Seek public acquisition of former Oliver properties adjoining Route 92 and support expansion of the National Wildlife Refuge.

The Oliver Trust continues to own about 40 acres along the south edge of Route 92. Its disposition is not a part of the Specific Plan.

A2/page 19: Promote housing that supports the economic base and matches the supply of existing jobs. Ensure a choice of housing opportunities (e.g. location, size, type and income level) throughout the City that meets the needs of residents, students and workers.

The Specific Plan provides for about 578 single family detached homes on 5000, 6000, and 8000-square foot lots. Amendments proposed for residential use on Oliver East include approximately 139 single Family homes on approximately 2400 square foot lots and 122 attached town homes.

E Goal/page 44: To improve the amount, diversity and quality of parks and recreational facilities in Hayward.

The Specific Plan calls for one 25-acre community sports park, one 5-acre neighborhood park, one 2.5-acre private park, a linear parkway trail system, and a 10.4-acre open space buffer with a water channel.

4/page 45: Establish accessible neighborhood parks for all residential areas and encourage neighborhood activities, which sustain park use.

See E Goal/page 44 response above.

GENERAL PLAN (In effect in 2002)

The South of 92 Specific Plan and Amendment has been conceived in the context of Hayward's geographic and economic features and the City's policy framework. The foremost expression of the City's policies regarding development is the City's General Plan. In this chapter, a review of the ways in which this Specific Plan as proposed to be amended in connection with residential development currently proposed on Oliver East is or is not consistent with the current General Plan adopted by the City in 2002 is provided. Pertinent General Plan policies or strategies in effect in 2002 are identified in the standard print (with policy or strategy number and General Plan page referenced) and Specific Plan features that do or do not respond to General Plan policies or strategies are described in the Italic print.

LAND USE POLICIES AND STRATEGIES

Balance of Land Uses

1. (Page 2-17) **Employ sound planning principles to promote a balance of land uses and achieve a vibrant urban development pattern that enhances the character of the city.** The Specific Plan as amended contains a wide variety of land uses that employ "smart growth" principles. These uses will provide a pragmatic program that will create a vibrant neighborhood as well as add character and stability to the city.

1.1 (Page 2-17) Seek to achieve an improved balance between jobs and housing in the Hayward planning area. The Specific Plan as amended will include additional residential uses while retaining commercial retail space and providing opportunities for business park uses. It is intended to help improve the balance between jobs and housing.

1.2 (Page 2-17) Assure adequate infrastructure capacities to accommodate planned growth. Most of the infrastructure in the Plan area has been completed and is adequate to serve the existing and proposed uses under the Specific Plan as amended.

1.3 (Page 2-17) Maintain an adequate supply of land designated and zoned for residential use at appropriate densities to meet housing needs, consistent with the objective of maintaining a balance of land uses. The Specific Plan as amended provides a significant opportunity for new housing along with a mix of supporting uses to create a better balance for the community.

1.4 (Page 2-17) Promote mixed-use development where appropriate to ensure a pedestrian friendly environment that has opportunities such as housing, jobs, childcare, shopping, entertainment parks and recreation in close proximity. The Plan area contains a wide variety of employment opportunities and residences, neighborhood-serving retail and recreational amenities in the form of the Sports Park, trails and linear parks.

Transit Oriented Development

2. (Page 2-17) Support higher-intensity and well-designed quality development in areas within 1/2 mile of transit stations and 1/4 mile of major bus routes in order to encourage non-automotive modes of travel. Bus turnouts and shelters are planned for the AC transit bus stops on Hesperian adjacent to the Plan area. The only bus stops planned within the plan area are for school buses.

2.1 (Page 2-17) Encourage mixed-use zoning that supports integrated commercial and residential uses, including live-work spaces, in activity centers and along major transit corridors. The Plan area contains a wide variety of employment opportunities, residences and neighborhood-serving retail. No live-work development is planned.

Business and Technology Corridor

7. Page 2-19 Promote the transition from a manufacturing-based economy to an information-based economy in the industrial areas.

7.1 (Page 2-19) Consider adoption of multiple zoning districts that provide for concentration of similar types of uses such as manufacturing, warehouse/distribution, or research and development/office uses. The Specific Plan as amended has maintained a strong Business Park presence. The Plan area contains a mix of zoning districts to accommodate a variety of uses.

7.2 (Page 2-19) Identify specific sites or opportunity areas for highly desirable uses that enhance the tax base. As amended the Specific Plan will continue to include Commercial/Retail land, providing sales and property taxes and employment.

7.3 (Page 2-20) Provide for supporting commercial uses, such as restaurants, business services and heavy commercial uses, consistent with the function of newly created zoning districts. The neighborhood-serving Commercial/Retail area will be retained.

7.4 (Page 2-20) Consider allowing childcare facilities within areas zoned for research and development or office uses. The Business Park and Commercial/Retail zones do not permit childcare facilities.

Infill Development

8. (Page 2-20) Promote infill development that is compatible with the overall character of the surrounding neighborhood.

8.1 (Page 2-20) Encourage visual integration of projects of differing types or densities through the use of building setbacks, landscaped buffers, or other design features. Development Guidelines adopted pursuant to the Specific Plan regulate buildings form, bulk, and character throughout the Specific Plan area. The Specific Plan Development Guidelines for the Plan area include landscape design and maintenance guidelines to screen industrial and business park buildings and activities and require a consistent signage program in the Plan area.

8.3 (Page 2-20) Ensure that design guidelines reflect concerns about the preservation of viewsheds. The Specific Plan as amended and Development Guidelines ensure compatible and attractive development and include landscape design and maintenance guidelines to screen business park buildings and activities from residential uses in the Plan area.

8.4 (Page 2-20) Promote walkable neighborhoods by encouraging neighborhood-serving commercial activities within residential areas. The Specific Plan as amended and Development Guidelines for the Plan area include guidelines to ensure compatible and attractive development. Internal trails in residential areas that link parks, homes, open space and employment are in place, as proposed, within the plan area.

8.5 (Page 2-20) Encourage development that is designed to provide direct pedestrian connections between housing and supporting activities. Internal trails in residential areas that link parks, homes, open space and employment are part of the Specific Plan as amended.

CIRCULATION POLICIES AND STRATEGIES

Dealing with Regional Traffic

8. (Page 3-25) Create Improved and Safer Circulation Facilities for Pedestrians.

8.2 (Page 3-25) Increase consideration of pedestrian needs including appropriate improvements to crosswalks, signal timing, signage, and curb ramps. These facilities are currently in place within the Plan area.

8.3 (Page 3-25) Enhance pedestrian linkages from neighborhoods to recreational facilities and open spaces with pedestrian paths, creekside walks, and utility greenways. The Specific Plan as amended provides pedestrian pathways between the residential, the Bayland trail, the business park, retail and the Sports Park.

8.4 (Page 3-25) Encourage design of development that contributes to continuous pedestrian pathways and pedestrian connectivity. The Specific Plan as amended provides pedestrian pathways between the residential, the business park, retail and the Sports Park, which are all linked to the Bayland trail.

9. (Page 3-26) Provide the opportunity for safe, convenient and pleasant bicycle travel throughout all areas of Hayward.

9.1 (Page 3-26) Implement system of bikeways throughout the City (per the Bicycle Master Plan tying residential areas to commercial areas and to recreational open space along the shoreline and in the hills. The Specific Plan as amended provides bikeways between the residential, the Bayland trail, the business park, retail and the Sports Park.

10. (Page 3-26) Encourage Land Use Patterns that Promote Transit Usage. Bus turnouts and shelters are planned for the AC transit bus stops on Hesperian adjacent to the Specific Plan area. School bus stops are planned within the Plan area.

10.2 (Page 3-26) Encourage mixed-use residential and commercial development to reduce the need for multi-destinational trips. The Plan area contains a wide variety of employment opportunities, residences and neighborhood-serving retail.

ECONOMIC DEVELOPMENT POLICIES AND STRATEGIES

Community Development

1. (Page 4-17) Utilize an economic strategy that balances the need for development with other City goals and objectives.

1.3 (Page 4-17) Approve development opportunities that result in minimal adverse impacts to the City's environment. Pursuant to State law an environmental impact report was certified for the South of 92 Specific Plan, addressing traffic, safety and ecosystems regarding the potential impacts of the Specific Plan. Environmental review of the amendments has been undertaken by the City.

1.4 (Page 4-17) Prior to approval, identify the full costs and benefits of individual new developments and appropriately attribute those between the public and private sectors. A financial and fiscal analysis was prepared as part of the Specific Plan process; the fiscal analysis has been updated to address the change from light manufacturing to residential use on Oliver East.

Land and Infrastructure

2.0 (Page 4-17) Create a sound local economy that attracts investment, increases the tax base, creates employment opportunities for residents and generates public revenues.

2.3 (Page 4-17) Ensure that there is adequate infrastructure (electricity, water, sewer) to support existing and new development. All infrastructure within the plan area has been completed and is adequate to serve existing and proposed uses.

2.3 (Page 4-17) Ensure that an adequate supply of land is zoned for industrial and business park uses; limit uses that would erode the integrity of the Business and Technology Corridor. The Specific Plan as amended has a balance of uses that support business and technology.

HOUSING POLICIES AND STRATEGIES

Expand The Housing Supply

1. (Page 5-42) Encourage the provision of an adequate supply of housing units in a variety of housing types which accommodate the diverse housing needs of those who live or wish to live in the city.

1.1 (Page 5-42) Maintain an adequate supply of land designated and zoned for residential use at appropriate densities to meet housing needs, consistent with the objective of maintaining a balance of land uses. *The Specific Plan as amended will increase the land for residential use, providing both single family and multi-family units.*

1.5 Page 5-42 Encourage developers to create housing units that accommodate varied household sizes and income levels. *The Specific Plan as amended will create the potential for single-family detached product and an attached town home product.*

Develop Affordable Housing

4. (Page 5-43) Ensure that the city's housing stock contains an adequate number of decent and affordable units for households of ad income levels.

4.3 (Page 5-43) Consider an inclusionary zoning ordinance as a means of increasing the supply of affordable housing and reducing geographic concentration. *The City has adopted an Inclusionary Housing Ordinance, which took effect January 1, 2004. Residential development in the Oliver East area of the plan will include 15% "affordable units" as defined in said ordinance.*

COMMUNITY FACILITIES AND AMENITIES POLICIES AND STRATEGIES

Educational Facilities and Opportunities

1. (Page 6-19) Advocate the pursuit of academic excellence and the establishment of high standards for physical facilities in the local public schools.

1.3 (Page 6-19) Cooperate with the Hayward Unified School District to ensure that the impacts of new development are addressed and that appropriate mitigation measures are established. *New development under the Specific Plan as amended will be subject to payment of school impact mitigation fees to the extent required by state law.*

Parks and Recreation

5. (Page 6-21) Seek to increase the amount, diversity and quality of parks and recreational facilities and opportunities.

5.2 (Page 6-21) Encourage the provision of recreational activities for all people, consistent with the changing demographic composition of the city. *The Specific Plan as amended requires bicycle and walking trails, neighborhood parks, private open space and the 25-acre Sports Park, which is currently in operation.*

5.4 (Page 6-21) Encourage the creation and maintenance of neighborhood "miniparks" through partnerships with private, non-profit and business interests where it is not possible to achieve parks that meet HARD standards. The Specific Plan as amended requires private open space and recreational areas.

Open Space Corridors

6. (Page 6-22) Enhance the aesthetic and recreational value of open space corridors within the urbanized area.

6.3 (Page 6-22) Provide access for disabled persons and features such as seating area along trails. The Specific Plan as amended requires said facilities, which are currently in place.

6.5 (Page 6-22) Consider additional greenway linkages along fault corridors and in other areas to encourage walking and cycling and to provide improved access to activity centers. A new internal trail system is part of the residential plan. From the 5-acre park, a vista toward the WCB-owned Baumberg Tract is in place. Additionally, the Specific Plan as amended extends said trail system into Oliver East to link the residential development to both the Sports Park and Bayland Trail.

CONSERVATION AND ENVIRONMENTAL PROTECTION POLICIES AND STRATEGIES

Biological Resources

4. (Page 7-23) Protect and enhance vegetative and wildlife habitat throughout the Hayward area.

4.1 (Page 7-23) Avoid development that would encroach into important wildlife habitats, limit normal range areas, or create barriers that cut off access to food, water, or shelter. The amendment proposed to allow residential use on Oliver East will have no additional unmitigated impacts on vegetation or wildlife habitat.

4.2 (Page 7-23) Support efforts to reestablish and maintain marsh habitats on the bavlands. The sale of Cargill's Baumberg tract, a significant portion of the original Specific Plan area, is in permanent open space.

4.3 (Page 7-23) Preserve tidal flats and salt ponds of low salinity for the migratory waterfowl that depend on these areas. See 4.1 and 4.2 above.

Air Quality

11. (Page 7-25) Maintain improved air quality by creating a relationship between transportation and land use.

11.1 (Page 7-25) Guide development into patterns that reduce dependency on automobile usage. The Specific Plan area contains a wide variety of employment opportunities.

residences and neighborhood-serving retail which would reduce automobile trips outside the plan area and enhance the desirability of walking and using bicycles.

11.2 (Page 7-26) Require pedestrian, bicycle, and transit-oriented features in new development projects. Bus turnouts and shelters are available for the AC transit bus stops on Hesperian adjacent to the Specific Plan area. School bus stops are planned within the Plan area. Bicycle and pedestrian travelways are in place.

11.3 (Page 7-26) Encourage compact development featuring a mix of uses that locates residences near jobs and services. The Specific Plan area contains a variety of employment opportunities, residences and neighborhood-serving retail.

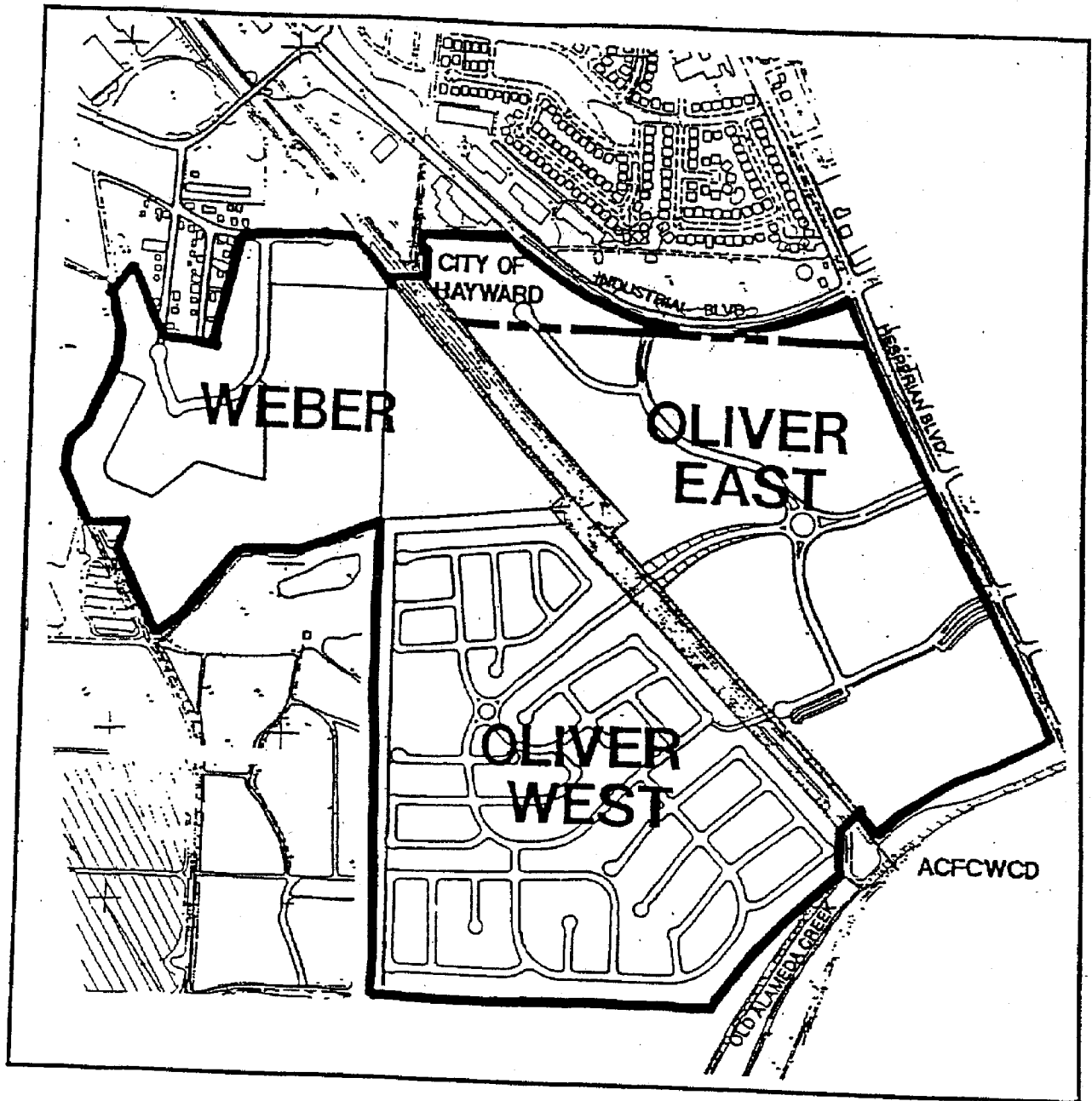
11.4 (Page 7-26) Facilitate the development of higher-density housing and employment centers near existing and proposed transit stations and along major transit corridors. The Plan area is adjacent and west of Hesperian Blvd.


Noise Mitigation

13. (Page 7-26) The City will seek to protect the public health, safety and welfare against the adverse effects of excessive noise.

13.2 (Page 7-27) Continue to review new development to assure compatibility with surrounding land uses and compliance with accepted noise standards. Noisier uses are separated from residential uses in the plan area. Residential uses are separated from unacceptable arterial and railroad noise by adequate distances and appropriate sound walls.

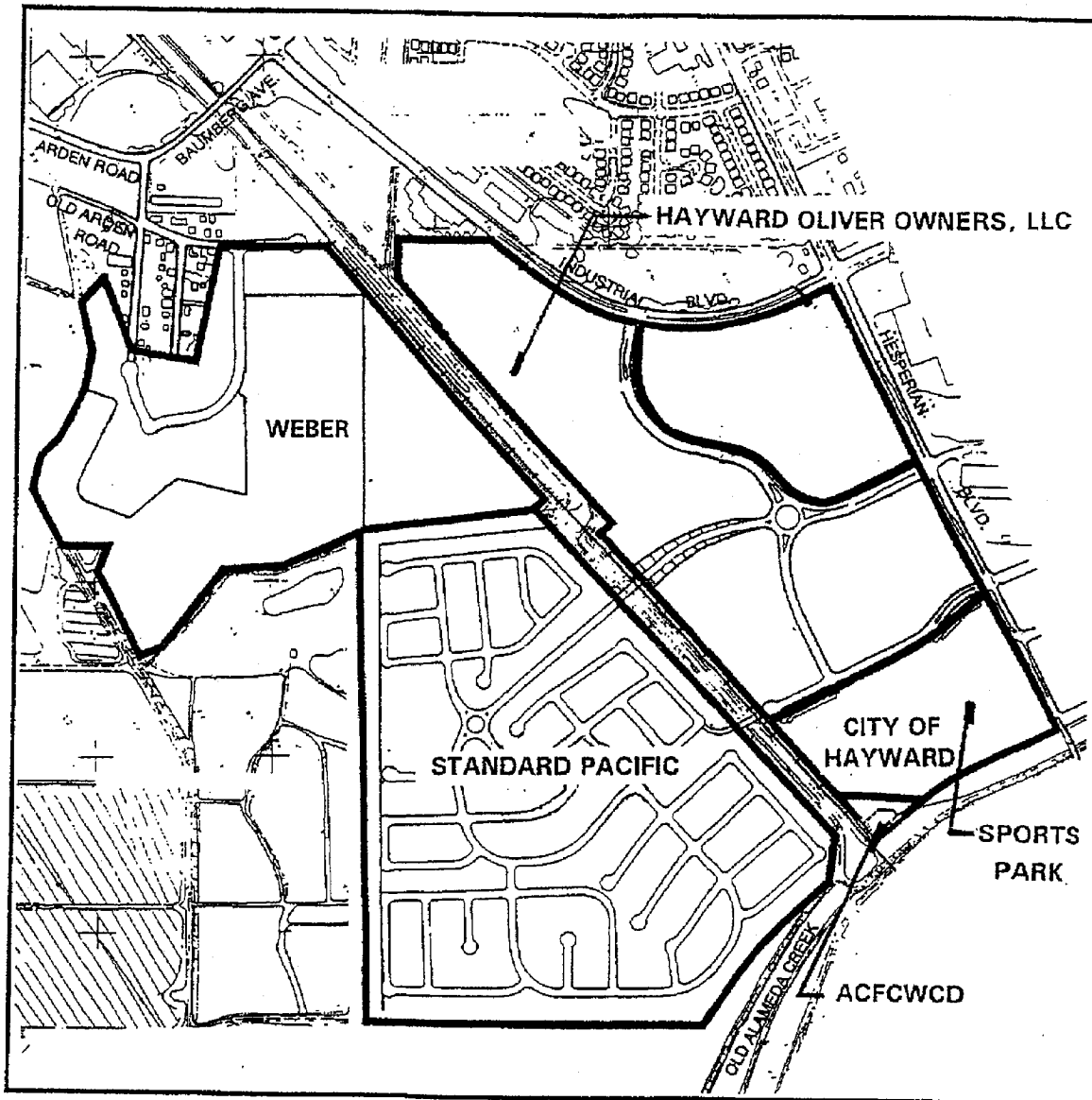
13.3 (Page 7-27) Encourage mitigation of noise through appropriate site planning, building orientation, and building materials. The Specific Plan as amended and Development Guidelines provide for appropriate site planning, building orientation, sound walls and building materials to mitigate noise to an acceptable level.




SOUTH OF ROUTE 92 SPECIFIC PLAN

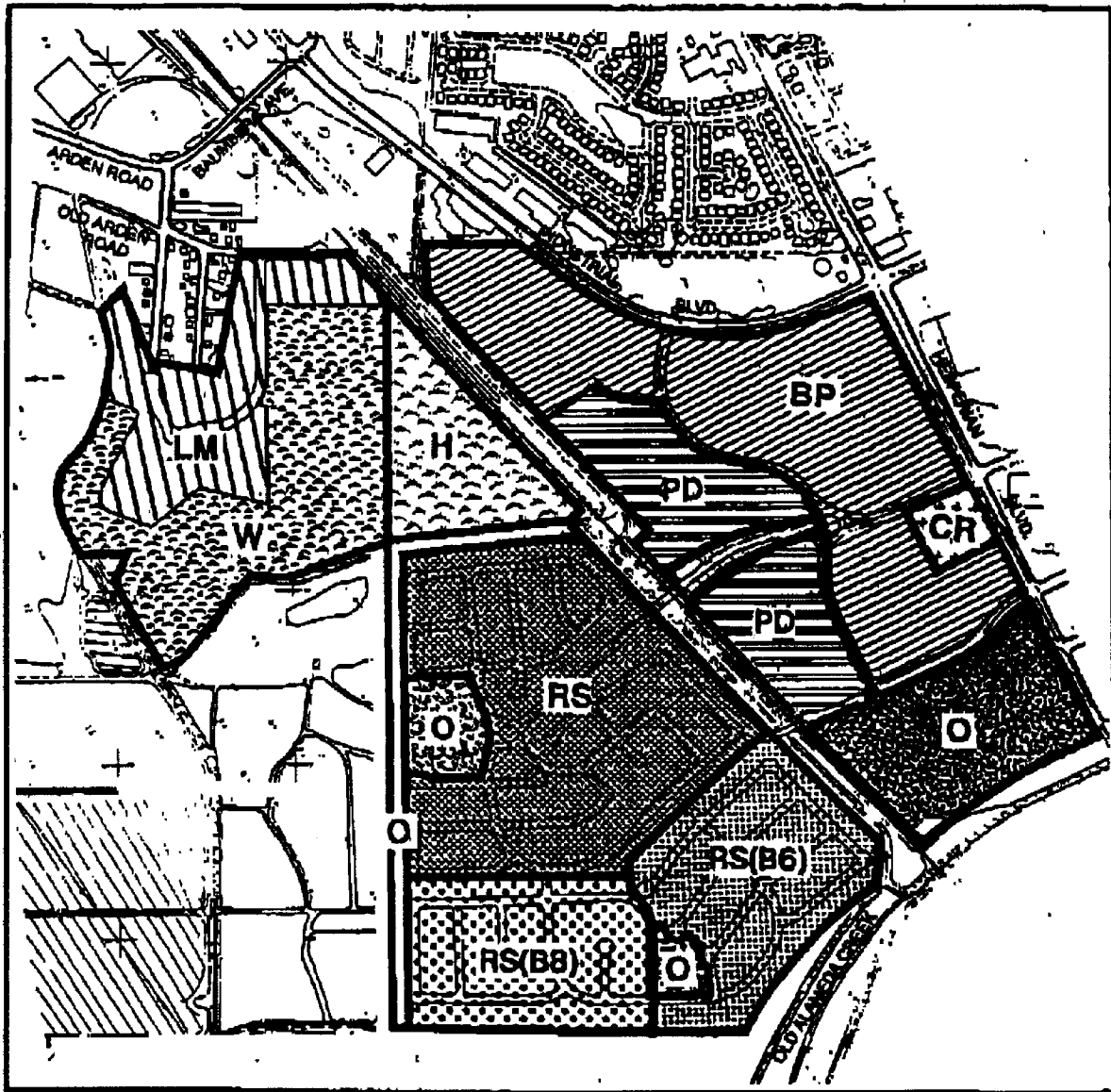
1997 SPECIFIC PLAN AREA

Figure I-1















SOUTH OF ROUTE 92 SPECIFIC PLAN

LAND OWNERSHIP



LEGEND

	BUSINESS PARK		RESIDENTIAL - SINGLE FAMILY 6,000 SQ. FT. LOTS		HABITAT
	LIGHT MANUFACTURING		RESIDENTIAL - SINGLE FAMILY 8,000 SQ. FT. LOTS		OPEN SPACE - BUFFER ZONE
	COMMERCIAL/RETAIL		OPEN SPACE - NEIGHBORHOOD PARKS		WETLANDS
	RESIDENTIAL - SINGLE FAMILY 8,000 SQ. FT. LOTS		OPEN SPACE - SPORTS PARK		
	PLANNED DEVELOPMENT - RESIDENTIAL				

Proposed Zone Change / Specific Plan Amendment

Eden Shores East

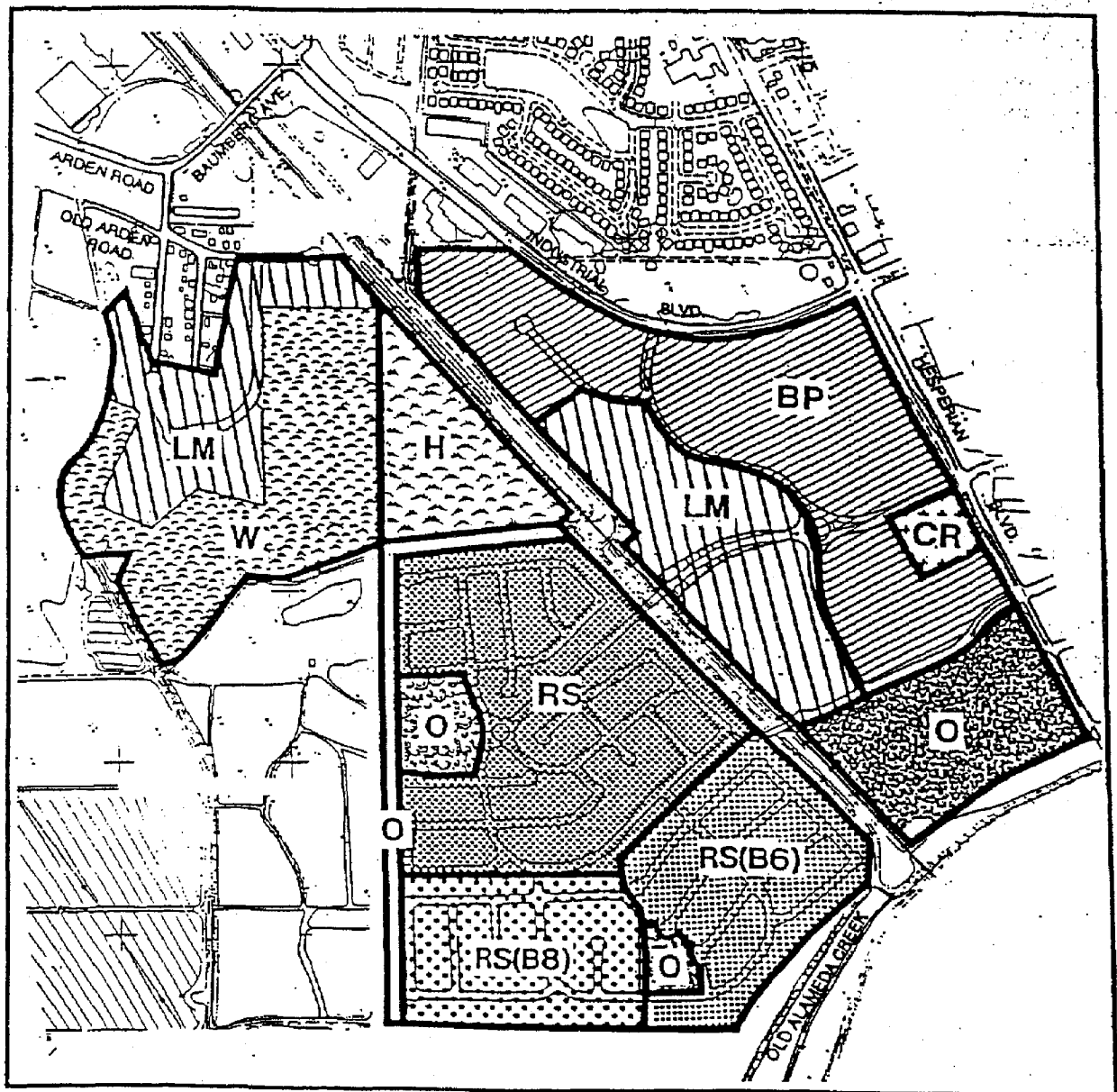
South of Route 92 Specific Plan

Hayward, California












Rezone to Planned Development

*Approximately 27.6 acres Light Manufacturing

Approximately 1.6 acres Business Park



LEGEND

	BUSINESS PARK		RESIDENTIAL - SINGLE FAMILY 6,000 SQ. FT. LOTS		HABITAT
	LIGHT MANUFACTURING		RESIDENTIAL - SINGLE FAMILY 8,000 SQ. FT. LOTS		OPEN SPACE - BUFFER ZONE
	COMMERCIAL/RETAIL		OPEN SPACE - NEIGHBORHOOD PARKS		WETLANDS
	RESIDENTIAL - SINGLE FAMILY 5,000 SQ. FT. LOTS		OPEN SPACE - SPORTS PARK		

Existing Zoning / Specific Plan Land Use Designations
 South of Route 92 Specific Plan
 Hayward, California

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Hayward
777 B Street
Hayward, California 94541

THIS SPACE ABOVE FOR RECORDER'S USE

AMENDMENT TO MOUNT EDEN BUSINESS AND SPORTS PARK COMMUNITY
DEVELOPMENT AGREEMENT RELATING TO DEVELOPMENT OF EDEN SHORES
EAST, A PORTION OF OLIVER EAST PROPERTY

This Amendment to Mount Eden Business and Sports Park Community Development Agreement Relating to Development of Eden Shores East, a Portion of Oliver East Property ("Eden Shores East Amendment") is entered into as of _____, 2005 by and between the HAYWARD-OLIVER OWNERS LLC, a Delaware limited liability corporation (referred to herein as either "Hayward Oliver Owners" or "Owner") and the CITY OF HAYWARD, a municipal corporation, organized and existing under the Hayward City Charter and laws of the State of California ("City").

RECITALS

A. On or about December, 1999, the City and Owner's predecessor-in-interest entered into that certain Mount Eden Business and Sports Park Community Development Agreement, which was recorded December 13, 1999 as instrument number 1999443129 in the Official Records of Alameda County (the "Agreement").

B. Owner entered into an option agreement for the Property subject to the Agreement. Thereafter, the option was exercised and Hayward Oliver Owners acquired title to the Property. Since execution of the Agreement, portions of the Property have been developed. The "Oliver West" portion of the Specific Plan area was acquired, and the residential development thereon substantially constructed, by Standard Pacific Corp., a Delaware corporation. Hayward Oliver Owners and Duc Housing Partners, Inc., a California corporation ("Duc Housing") collectively assumed certain responsibilities and obligations under the Agreement pursuant to that certain Assumption Agreement, which was recorded October 15, 2001 as instrument number 2001392229 in the Official Records of Alameda County. Hayward Oliver Owners has dedicated the 25 acre Sports Park parcel to the City and has constructed thereon the Sports Park Complex. Owner also has installed infrastructure in all portions of the Specific Plan area, exclusive of the Weber property.

C. The remaining portions of the Property were approved and planned for construction of Light Manufacturing, Commercial Retail and Business Park uses. Owner has applied for General Plan and Specific Plan amendments, and rezoning of approximately 29.2 acres of the Property to allow for residential development on certain parcels within the "Oliver East" portion of the Property. The Project modifications authorize the residential development known as Eden Shores East (referred to herein as "Eden Shores East Residential Development"). Owner and City have determined that an amendment to the Agreement is necessary and appropriate in connection with the modifications to the Development Plan and Project. The Eden Shores East Amendment is being entered into by Owner and City to address the modifications relating to development of Eden Shores East Residential Development only and does not in any way limit or otherwise affect the rights and obligations of the Owner, or any assignee, any other owner of real property subject to the Agreement, and City with respect to remaining portions of the Property and the development thereof under the Agreement. The Eden Shores East Amendment shall be recorded against the property comprising the Eden Shores East Residential Development, as more particularly described in Exhibit A hereto.

D. In February, 2001, the City approved an assignment of the Agreement to Glenborough Realty Trust ("Glenborough"), an entity to which title to a portion of the property subject to the Agreement was transferred. Subsequent to such transfer, the interest acquired by Glenborough was reconveyed to Hayward Oliver Owners.

E. The City has analyzed the modifications to the Development Plan and Project and, pursuant to Resolution No. _____ has adopted a Mitigated Negative Declaration and a Mitigation and Monitoring Program as required by the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*).

F. City staff has reviewed this Eden Shores East Amendment, deemed it to be complete, and prepared a report to the Planning Commission pursuant to Chapter 10, Article 9 of the City Municipal Code regarding the Eden Shores East Amendment, consistency with the General Plan and Specific Plan. The Planning Commission adopted findings regarding the Eden Shores East Amendment and recommended that the City Council authorize execution of the Eden Shores East Amendment. The City Council has held a public hearing on the modifications to the Development Plan and the Project, and the Eden Shores East Amendment, and has determined that the Eden Shores East Amendment (i) is consistent with the City's General Plan and the Specific Plan; (ii) is in the best interests of the health, safety and general welfare of the City, its residents, and the public; (iii) is executed pursuant to, and as authorized under the Agreement and the requirements of the Development Agreement Legislation and Development Agreement Ordinance.

G. City has adopted Ordinance No. _____ on _____, 2005 approving this Eden Shores East Amendment and its execution in accordance with the provisions of the Agreement and as authorized under the Development Agreement Legislation and Development Agreement Ordinance.

H. All capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and for other good and valuable consideration, Owner and City hereby agree to amend the Agreement as it relates to the Eden Shores East Residential Development only, and to no other portion(s) of the Property, as follows:

1. The first sentence in Recital C is modified to read as follows:

"Owner is the holder of a legal or equitable interest in the Property and intends to develop the Property for a large multi-phase, mixed use development with low- and medium-density residential, commercial/retail, business park, planning/research and development, and open space/park and recreation land uses, all as set forth in the Development Plan."

2. Section 1.1.6 is amended to read as follows:

"Conditions of Approval" means those conditions of approval of the Vesting Tentative Map, attached as Exhibit C, as amended by those conditions of approval adopted by City pursuant to Resolution No. _____ on _____, 2005 relating to the Eden Shores East Residential Development."

3. Section 1.1.11 is amended to read as follows:

"Development Guidelines" means the Development Guidelines for the South of 92 Specific Plan adopted by Resolution No. 98-028 of City Council of City on February 17, 1998, attached as Exhibit D, as amended by Resolution No. _____ of City Council of City on _____, 2005 relating to the Eden Shores East Residential Development."

4. The following new sentence is added at the end of Section 1.1.15:

"Unless otherwise referenced herein, "EIR" as defined in this Section 1.1.5 shall also include any Addenda thereto and, for the Eden Shores East Residential Development, the Mitigated Negative Declaration adopted by City pursuant to Resolution No. _____ of City Council of City on _____, 2005."

5. The first sentence of Section 1.1.17 is amended to read as follows:

"Existing Development Approvals" means the Development Approvals in effect on the Effective Date, as amended by Resolution Nos. _____ adopted by the City Council of City on _____, 2005 relating to the Eden Shores East Residential Development."

6. The first sentence of Section 1.1.18 is amended to read as follows:

"Existing Land Use Ordinances" means the Land Use Ordinances in effect on the Effective Date, as amended by Ordinance No. ____ adopted by the City Council of City on ____, 2005 relating to the Eden Shores East Residential Development."

A new subsection (c) is added to Section 1.1.18, as follows:

"(c) Ordinance No. ____ **[insert rezoning ordinance]** relating to the Eden Shores East Residential Development."

7. Section 1.1.20 is amended to read as follows:

"General Plan" means the City of Hayward General Plan."

8. Section 1.1.21 is amended to read as follows:

"General Plan Amendment" means the South of Route 92 General Plan Amendment (GPA 97-110-02) adopted by Resolution No. 98-028 of City Council of City on February 17, 1998, attached as Exhibit G, except to the extent superseded by subsequent action of the City, and the Eden Shores East General Plan Amendment (GPA ____) adopted by Resolution No. ____ of City Council of City on ____, 2005."

9. Section 1.1.26 is amended to read as follows:

"Mitigation Monitoring and Reporting Program" means the Mitigation Monitoring and Reporting Program approved by Resolution No. 98-028 of the City Council of City on February 17, 1998, attached as Exhibit H, and the Mitigation Monitoring and Reporting Program approved for the Eden Shores East Residential Development by Resolution No. ____ of the City Council of City on ____, 2005."

10. "Gordon Oliver Estate and Trust and the Alden Oliver Trust" in Section 1.1.29 as Owner with Hayward-Oliver Owners, LLC, a Delaware limited liability company.

11. Section 1.1.37 is amended to read as follows:

"Specific Plan" means the South of Route 92 Specific Plan (SP-98-210-01) adopted by Resolution No. 98-028 of City Council of City on February 17, 1998, as amended by Resolution No. ____ of City Council of City, adopted ____, 2005 relating to the Eden Shores East Residential Development."

12. Section 1.1.40 is amended to read as follows:

"Vesting Tentative Map" means the vesting tentative subdivision map (TM-7065) approved by Resolution No. 98-028 adopted by the City Council of City on September 21, 1999 and, as it relates to development of the Eden Shores East Residential Development, the vesting tentative subdivision map (TM-____) approved by Resolution No. 98-028 adopted by the City Council of City on _____, 2005."

13. A new section 3.9 is added as follows:

"Additional Obligations for Sports Park Complex : In connection with approval of the Eden Shores East Residential Development, Owner has agreed to the following additional benefits for the Sports Park Complex:

Owner agrees to the establishment by City of, to the extent and as set forth in this Section 3.9, a Landscape Lighting and Assessment District (LLD) for the purpose of providing partial funding for the ongoing maintenance of the Sports Park Complex. The real property included in, and subject to assessments under, the LLD shall be only those residential lots and units included in the Vesting Tentative Map for Tract 7489-Eden Shores East, approved by the City Council of City pursuant to Resolution No. ____ on ____, 2005. The assessment under the LLD shall be an annual assessment of \$160.00 per lot or unit, with a provision for annual increases equal to the increases in the Consumer Price Index for the San Francisco-Oakland-San Jose Area, if any, for the preceding year. City shall establish the LLD prior to the sale of lots or units to individual purchasers and City agrees to cooperate with Owner to establish the LLD in a time frame that does not delay or interfere with such sales.

14. A new Section 3.10 is added as follows:

"Payment of School Mitigation Fees for Eden Shores East Residential Development. In connection with approval of the Eden Shores East Residential Development, Owner agrees to pay school mitigation fees in the amount of \$3.25 per square foot of "assessable residential space" (as such space is defined in California Government Code Section 65995), which amount exceeds the current fee of \$2.62 per square foot of assessable residential space, as established by the Hayward Unified School District Board of Education.

15. A new Section 3.11 is added as follows:

"Contribution to Upgrade Existing School Facilities. In addition to the payment of school mitigation fees for construction of homes in Eden Shores East Residential Development, pursuant to Section 3.10 above, Owner hereby agrees to pay to City the sum of Five Million Dollars (\$5,000,000.00) for use by City only for purposes of the construction of the new Burbank School, located in the City of Hayward, and for no other purpose. Payment of said sum shall be made to the City upon the earlier of the following dates: (1) the date of issuance of the first building permit for construction of a home in the Eden Shores East Residential Development; or (2) January 1, 2007. In consideration of the Owner's agreement to the timing of payment of said sum, City agrees that it shall expeditiously process the Precise Development Plan and any final map submitted to the City for the Eden Shores East Residential Development.

16. Light manufacturing is deleted from the list of permitted uses in Section 4.1.

17. In Section 4.2, the number of business park lots is reduced from 22 to 17 the following new sentence is added after the first sentence in Section 4.2:

"In addition, a total of 261 residential units are permitted to be developed on Oliver East as part of the Eden Shores East Residential Development."

18. Section 6.1.2 is amended to read as follows:

"Exceptions. Owner may sell, assign, or transfer to Duc Housing or to Standard Pacific Corp., a Delaware corporation ("Standard Pacific"), all or a portion of Owner's interests, rights, and obligations under this Agreement without the prior written consent of City, provided that such sale, assignment, or transfer in connection with a sale, assignment, or transfer of all or a portion of the Property, and Duc Housing or Standard Pacific, as the case may be, executes any document reasonably requested by City with respect to the assumption of Owner's Obligations."

19. The following is added to the end of subsection (b) of Section 6.1.14:

"or Standard Pacific;"

20. The following new sentence is added at the end of Section 14.2:

"With respect to Eden Shores East Residential Development, the City acknowledges and agrees that payment of school mitigation fees in the amount set forth in Paragraph 14 (adding new Section 3.10) of this Eden Shores East Amendment

constitutes full and complete satisfaction of required mitigation of impacts on schools. The City further acknowledges and agrees that expenditure of the sum of approximately Seven Million Dollars (\$7,000,000), substantially in excess of the Three Million Dollars (\$3,000,000) originally estimated, for construction of the Sports Park Complex, coupled with the establishment of the LLD as set forth in Paragraph 13 (adding new Section 3.9) of this Eden Shores East Amendment and the provision of approximately 7.4 acres of on site open space areas within the Eden Shores East Residential Development, constitutes full and complete satisfaction of required mitigation of impacts on parkland and open space, and meets all City requirements regarding same, as it relates to the Eden Shores East Residential Development."

21. The party to whom notice to Owner under Section 14.18 is to be given shall be changed from Morey Greenstein to: Joseph Fanelli, Senior Vice President, Duc Housing Partners, Inc., 14107 Winchester Blvd., Suite H, Los Gatos, CA 95032. The City's address is changed to City Hall, 777 B Street, Hayward, CA 94541.

22. The parties agree that Duc Housing shall have no obligation to perform any of the obligations of Owner under the terms of this Eden Shores East Amendment.

23. Except as expressly amended herein, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Eden Shores East Amendment to Mount Eden Business and Sports Park Community Development Agreement as of the day and year first above written. The signatories to this Eden Shores East Amendment represent that they are duly authorized to execute this amendment and to bind the Parties hereto.

HAYWARD-OLIVER OWNERS, LLC,
a Delaware limited liability company

CITY OF HAYWARD

By: DUC HOUSING PARTNERS, INC.
a California corporation, a member

By: _____
City Manager

By: _____

Attest: _____
City Clerk

By: HAYWARD OLIVER MANAGERS, LLC,
A Delaware limited liability company, its
sole Managing Member

Approved As To Form: _____
City Attorney

By: Lakeside Hayward Realty Advisors,
LLC, a California limited liability

company, its Administrative Member

By: Lakeside Realty Advisors, LLC,
a California limited liability
company, its Managing Member

By: _____

ADD EXHIBIT A [Eden Shores East Residential Development: parcels identified on tentative map]

ATTACHMENT H

EDEN SHORES EAST RESIDENTIAL DEVELOPMENT PROJECT INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

MITIGATION MONITORING AND REPORTING PROGRAM

Table 1:

MITIGATION MONITORING AND REPORTING PROGRAM FOR THE EDEN SHORES EAST RESIDENTIAL DEVELOPMENT PROJECT

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
<u>Air Quality</u>				
<p>Impact III-1: Air Quality Construction Impacts. The effects of project construction activities anticipated as a result of implementing the Eden Shores East Residential Development Project would increase dustfall and locally elevated levels of PM₁₀ downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties.</p>	<p>Mitigation Measure III-1: Dust emissions from construction-related activities can be greatly reduced by implementing control measures. The BAAQMD has developed feasible control measures for construction emissions of PM₁₀. With these measures implemented the impacts are expected to be reduced to a less than significant level.</p> <p>The following measures, pertinent to Mitigation Measure 3.2.4-1 of the 1997 Plan EIR, shall be incorporated into all construction contract documents:</p> <p><u>Basic, Enhanced and Optional (near residences) Measures.</u></p> <ul style="list-style-type: none"> • Water all active construction areas at least twice daily. • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e. the minimum required space between the top of the load and the top of the trailer). • Pave, apply water three times daily, or apply (non-stick) soil stabilizers on all unpaved access roads, parking areas and staging areas. • Sweep daily (preferably with water sweepers) all paved access roads, parking areas and staging areas. <p>Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets. Coordinate streets to be swept with the City Engineer.</p>	Project Developer	City of Hayward Public Works Department	During construction and grading operations

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
	<ul style="list-style-type: none"> Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) Limit traffic speeds on unpaved roads to 15 mph. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas if conditions warrant. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. Limit the area subject to excavation, grading and other construction activity at any one time. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints at the construction sites. This person shall respond and take corrective action within 24 hours. The telephone number of the AQMD shall also be visible to ensure compliance with BAAQMD Rule 2: Hazardous Materials; Asbestos Demolition, Renovation and Manufacturing. 			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING SCHEDULE	TIMING
<u>Biological Resources</u>				
Impact IV-1: Burrowing Owls. Construction activities may impact burrowing owls on the project site.	<p>Mitigation Measure IV-1: The following steps clarify the Mitigation Measure 3.2.3-5 identified in the earlier 1997 Plan EIR. If burrowing owl burrows are identified through the preconstruction surveys, protective measures will be required as a CEQA mitigation measure. These would include such avoidance actions as the following:</p> <ul style="list-style-type: none"> • No disturbance of occupied burrows during the nesting season, from February 1 through August 31, unless the Department of Fish and Game verifies that the birds have not begun egg-laying and incubation, or that the juveniles from those burrows are foraging independently and capable of independent survival at an earlier date. • If destruction of occupied burrows were unavoidable, burrows should be created (by installing artificial burrows) in a ratio of 1:1 in suitable habitat that is contiguous with the foraging habitat of the affected owls. • If owls must be moved away from the disturbance area, passive relocation (see below) is preferable to trapping. A time period of at least one week is recommended to allow the owls to move and acclimate to alternate burrows. • On-site passive relocation should be implemented if the above avoidance requirements cannot be met. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 50 m from the impact zone. Relocation of owls should only be implemented during the non-breeding season. 	Project Developer	City of Hayward Department of Community and Economic Development	During all grading and construction phases of the project by construction contractor.

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
	<p>Owls should be excluded from burrows in the immediate impact zone and within a 50 m (approx. 160 ft.) buffer zone by installing one-way doors in burrow entrances. One-way doors should be left in place 48 hours to insure owls have left the burrow before excavation.</p> <ul style="list-style-type: none"> • One alternate natural or artificial burrow should be provided for each burrow that will be excavated in the project impact zone. The project area should be monitored daily for one week to confirm owl use of alternate burrows before excavating burrows in the immediate impact zone. • Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags should be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. <p>In addition to the analysis conducted as part of the 1997 Plan EIR, LSA Associates, in their 2004 report, documented potential impacts of feral and domestic cats on sensitive wildlife habitat in the area (including the A-2 flood control channel). The sound wall that separates the project from the channel and the railroad tracks will also serve to inhibit the intrusion of cats into these sensitive areas.</p>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
<u>Cultural Resources</u>				
Impact V.1: Damage to Cultural Resources. Potential damage to or disturbance of important archaeological or historical resources could result from construction of the proposed project.	Mitigation Measure V-1: If prehistoric or historic cultural resources are inadvertently discovered during any ground-disturbing activities, all work in the area shall stop immediately and the City shall be notified of the discovery. No work shall be done in the area of the find and within 100 feet of the find until a professional archaeologist can determine whether the resource(s) is significant. If necessary, the archaeologist shall develop mitigation measures consistent with the State CEQA Guidelines in consultation with the appropriate state agency, and if applicable, a representative from the Native American Heritage List. A mitigation plan shall be submitted to the City for approval. Mitigation in accordance with this plan shall be implemented before any work is done in the area of the resource find.	Project Construction Contractor	City of Hayward Department of Community and Economic Development	During all grading and construction phases of the project.
Impact V.2: Paleontological Resources. The potential exists for fossils to be uncovered during any excavation activities.	Mitigation Measure V-2: If fossils or other paleontological resources are encountered, there shall be no further disturbance of the area surrounding this find until the materials have been evaluated by a qualified paleontologist, and appropriate treatment measures have been identified.	Project Construction Contractor	City of Hayward Department of Community and Economic Development	During all grading and construction phases of the project.

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	TIMING
<u>Hydrology and Water Quality</u>				
Impact VIII.1: Erosion or Siltation. During the construction period, soils at the project site could be exposed to the erosive forces of wind and storm runoff to a potentially significant degree.	Mitigation Measure VIII-1. The 1997 Plan EIR previously proposed Mitigation Measure 3.2.2-2, which would require construction to be scheduled during the dry season, require the applicant to develop a SWPPP and submit a soil erosion and sedimentation control plan to the City of Hayward Public Works Department prior to grading. Alternatively, the 1997 Plan EIR also proposed Mitigation Measure 3.2.1.4, which would, if construction were to occur during the wet season, require an erosion and sediment transport control plan, designed by an erosion control professional, or landscape architect or civil engineer specializing in erosion control.	Construction Contractor	City of Hayward Public Works Department	During all grading and construction phases
Impact VIII.2: Increase Rate or Amount of Surface Runoff. Creation of impervious surfaces on the site as a result of project construction would alter the existing drainage patterns.	Mitigation Measure VIII-2. The 1997 Plan EIR proposed Mitigation Measure 3.2.2-1, (c), which should be incorporated into the proposed Eden Shores East project. Section (c) of the measure states the following: “Facilities to accommodate the additional volume of stormwater runoff would be designed, reviewed, and incorporated into development prior to completion of the permitting process for this project. Specific structural mitigation measures that could be included in the facilities include detention basins, energy reducers, and oversized pipes and catch-basins that could act as temporary storage facilities for stormwater runoff.”	Project Developer	City of Hayward Public Works Department	Prior to issuance of grading permit.
Impact VIII.3: Post-Construction Stormwater Runoff. Non-point source pollution could enter the stormwater runoff after construction potentially exceeding the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff potentially degrading water quality.	Mitigation Measure VIII-3: At least 85 to 90 percent of annual average stormwater runoff from the site would be treated per the standards in the 2003 California Stormwater Best Management Practice New Development and Redevelopment Handbook. Drainage from all paved surfaces, including streets, parking lots, driveways, and roofs shall be routed either through swales, buffer strips, or sand filters or treated with a filtering system prior to discharge to the storm drain system. Landscaping shall be designed to effect some treatment, along with the use of a	Project Construction Contractor	City of Hayward Department of Public Works	During all final design and construction phases of the project.

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
Impact VIII.3 Continued	<p>Stormwater Management filter to permanently sequester hydrocarbons, if necessary. The specifications of the StormFilter© by Stormwater Management, Inc. adequately meets the requirements of the Regional Water Quality Control Board (RWQCB) for a "box-in-ground" filtering system. A filtering system with similar specifications may be used based on the size of the project site, if landscape-based stormwater treatment measures cannot effect the required level of treatment. Roofs shall be designed with down-spouting into landscaped areas, bubbleups, or trenches. Driveways shall be curbed into landscaping so runoff drains first into the landscaping. Permeable pavers and pavement shall be utilized to construct the development, where appropriate. Any one or combination of these suggested RWQCB treatment measures will potentially meet RWQCB requirements for controlling runoff.</p>			

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	TIMING
Noise				
Impact XI.1: Operational Noise. Noise impacts would result from locating homes adjacent to the Union Pacific Railroad and pump station.	Mitigation Measure XI-1: The applicant shall implement the following mitigation measures to reduce the noise impact during operations to a less than significant level. Details on the mitigations are included in the 2005 noise report. <ol style="list-style-type: none"> 1) Construct an 18-20 foot sound wall of varying height along the southwest property line at the project. 2) Construct an exterior wall assembly with a 3-coat stucco finish. 3) Utilize the sound reduction measures as described in the 2005 noise report. 4) Provide a written disclosure statement describing the current train activity and expected noise levels to every potential homebuyer. 5) Provide all potential homeowners of homes located within 250 feet of the pump station information on typical operations of the engine generator. 	Project Developer	City of Hayward Department of Community and Economic Development	During construction phases
Impact XI.2: Construction Noise. Construction noise could result in impacts to the surrounding neighborhood residents	Mitigation Measure XI-2: During construction the following measures, as described in Mitigation Measure 3.2.5-1 of the 1997 Plan EIR, would be implemented to reduce noise impacts: <ul style="list-style-type: none"> • Limit construction hours to between 7:00 AM and 7:00 PM on weekdays. Any work outside of these hours including work on weekends, shall require a special permit from the City of Hayward based on compelling reasons and compatibility with nearby residences. • Construction equipment should be properly outfitted and maintained with noise reduction devices to minimize construction-generated noise. • The contractor shall locate stationary noise sources away from residents in developed areas and require use of acoustic shielding with such equipment when feasible and appropriate. 	Project Construction Contractor	City of Hayward Department of Community and Economic Development	During all grading and construction phases.

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING/ REPORTING RESPONSIBILITY	TIMING
<u>Recreation</u>				
Impact XIV.1: Increased Use of Recreational Facilities. Maintenance for the 25-acre community park that serves the existing Eden Shores community would be taxed by the additional 827 potential new residents.	Mitigation Measure XIV-1: The applicant shall establish a Landscape Lighting and Assessment District (LLD) or other funding mechanism prior to selling the 261 residential units to individual homeowners that would be prorated to the fair share of the 261 residential units prior to selling the residences to individual homeowners. Implementation of the LLD would provide a portion of funds necessary to maintain the community-oriented facilities in the Sports Park and mitigate the impacts of increased usage of the Sports Park as a neighborhood facility.	City of Hayward Department of Community and Economic Development	City of Hayward Department of Community and Economic Development	Prior to sale of the residential lots.

City of Hayward
Draft Initial Study and Mitigated Negative
Declaration

Eden Shores East Residential Project

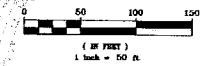
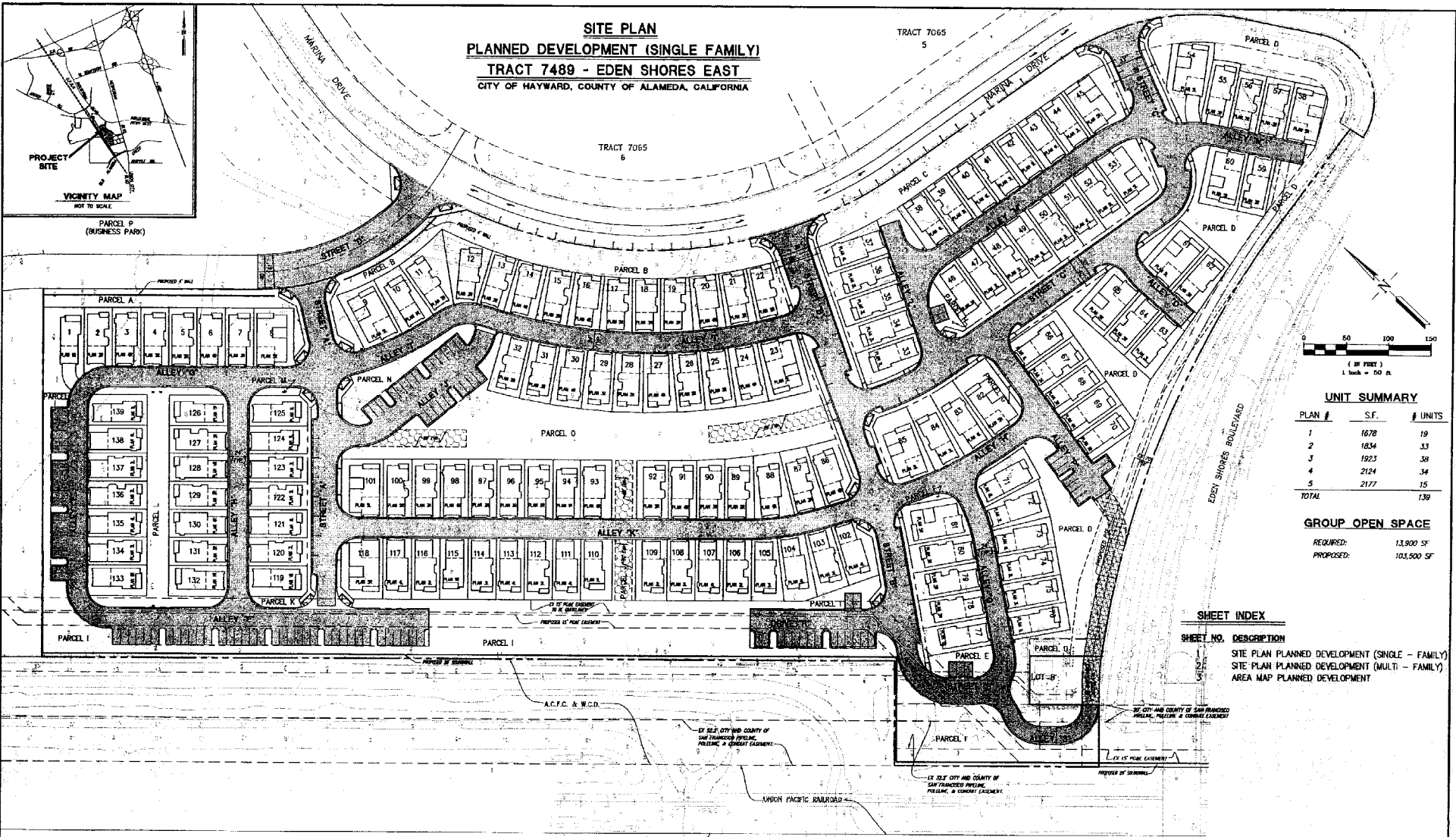
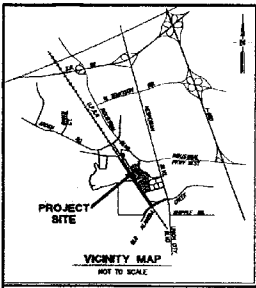


Prepared by
JM & Associates

Prepared for
The City of Hayward
Planning Department
September 2005

THIS REPORT IS AVAILABLE FOR VIEW IN PLANNING

SITE PLAN
PLANNED DEVELOPMENT (SINGLE FAMILY)
TRACT 7489 - EDEN SHORES EAST
 CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA



UNIT SUMMARY

PLAN #	S.F.	# UNITS
1	1678	19
2	1834	33
3	1923	39
4	2124	34
5	2177	15
TOTAL		139

GROUP OPEN SPACE

REQUIRED:	13,900 SF
PROPOSED:	103,500 SF

SHEET INDEX

SHEET NO.	DESCRIPTION
1	SITE PLAN PLANNED DEVELOPMENT (SINGLE - FAMILY)
2	SITE PLAN PLANNED DEVELOPMENT (MULTI - FAMILY)
3	AREA MAP PLANNED DEVELOPMENT

LAND USE TABULATION

LAND USE	NET ACRES	% ACRES
RESIDENTIAL LOTS	8.1	46%
PRIVATE STREETS/PARKING	4.7	27%
LANDSCAPED BUFFER (ALONG MARINA DRIVE)	0.8	4%
OTHER LANDSCAPED AREAS/OPEN SPACE	4.1	23%
DEVELOPED AREA SUBTOTAL	17.7	100%

SETBACK STANDARDS

FRONT YARD BUILDING	6' MIN 0' ALONG MARINA DRIVE
SIDE YARD	4' MIN (PLANS 1 THRU 4) 0' MIN (PLAN 5)
REAR YARD	FACE OF GARAGE 3' MIN

SITE SUMMARY

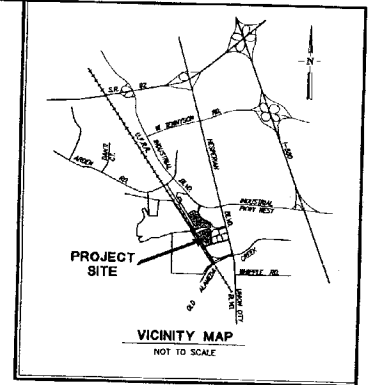
TOTAL RESIDENTIAL UNITS	139
TOTAL SITE AREA	17.7 ACRES
GROSS DENSITY	7.9 DU/AC
NET DEVELOPED AREA	13.0 ACRES
SITE AREA (LESS PUBLIC/PRIVATE STREETS)	
LANDSCAPE AREAS	4.9 ACRES
NET DENSITY	10.7 DU/AC
(# UNITS/NET DEVELOPED AREA)	
AVERAGE LOT SIZE	2538 SF
PROPOSED TRAILING	ON-DEMAND, DEVELOPER

PARKING SUMMARY

139 RESIDENTIAL UNITS	278 SPACES
WITH 2 CAR GARAGES	
ON SITE OPEN PARKING	151 SPACES
PARKING ALONG MARINA BLVD.	24 SPACES
SUBTOTAL	453 SPACES
SPACES/UNIT	3.3

Ruggeri - Jensen - Jazar & Associates
 4650 CHANDLER DRIVE, SUITE 200 • RIFACANTON, CA 94588
 PHONE: (925) 227-9100 • FAX: (925) 227-9300

TRACT 7065
11



4-PLEX (BLDG 13)			
PLAN #	S.F.	UNITS	TOTAL GROSS S.F./BLDG.
2	1,696	2	3,392
3	1,848	2	3,676
		4	7,068

6-FLX BLDGS 1, 3, 4, 6, 7, 8, 12, 14, 15, 16, 17, 18, 191				
PLAN #	SF.	UNITS	TOTAL GROSS	SF./BLDG
1	1,508	2	3,016	
2	1,696	2	3,392	
3	1,848	2	3,676	
		6	10,104	

8-FLX (BLDG 2, 5, 8, 10, 11)			
PLAN #	S.F.	KWTS	TOTAL GROSS S.F./BLDG.
1	1,508	2	3,016
2	1,896	2	3,392
3	1,848	4	7,392
		8	13,800

REQUIRED:	12,200 S.F.
PROPOSED:	55,700 S.F.

122 RESIDENTIAL UNITS WITH 2 CAR GARAGES	244 SPACES
OPEN PARKING	74 SPACES
<hr/> SUBTOTAL	<hr/> 318 SPACES

PARKING SHOWN	26 SPACES /UNIT
PARKING REQUIRED	21 SPACES/UNIT

LAND USE	NET ACRES	% ACRES
BUILDINGS	3.9	34%
PRIVATE STREETS/PARKING	2.5	22%
LANDSCAPED BUFFER ALONG	0.9	8%
MARINA DRIVE/EDEN PARK PLACE		
OTHER LANDSCAPE AREAS	4.1	36%
TOTAL	11.4	100%

SIDE TO SIDE: 15' MIN
FRONT TO SIDE: 15' MIN
FRONT TO FRONT: 20' MIN

TOTAL RESIDENTIAL UNITS	122
TOTAL SITE AREA	11.4 ACRES
GROSS DENSITY	10.7 DU/AC
NET DEVELOPED AREA (SITE AREA LESS PRIVATE STREETS)	8.7 ACRES

PROPOSED ZONING PD-PLANNED DEVELOPMENT

122

11.4 ACRES

10.7 DU/AC
2.7 10770

8.7 ACRES

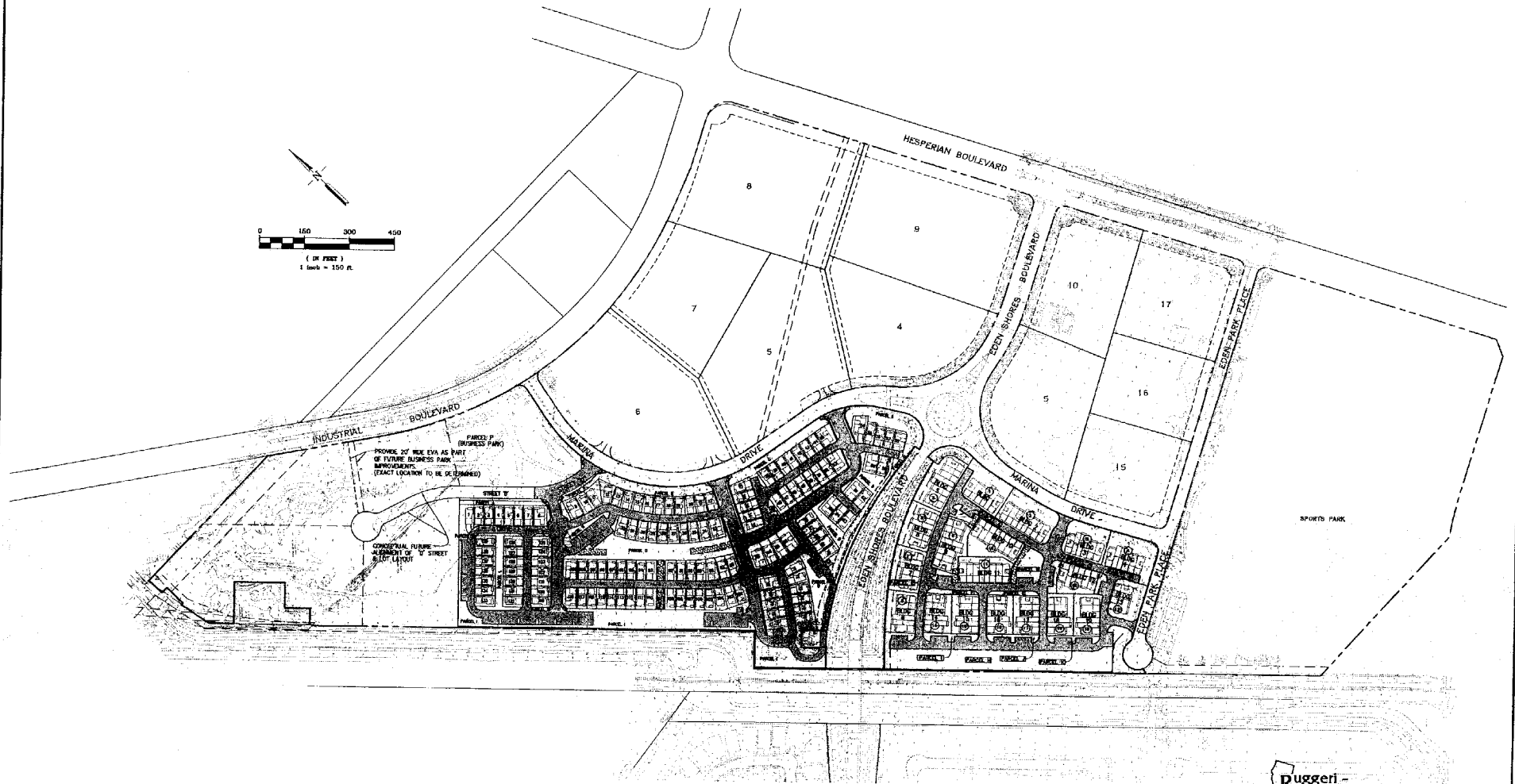
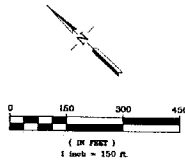
5.0 ACRES

14.0 DU/AC

PD-PLANNED DEVELOPMENT

**Ruggeri -
Jensen -
Azar & Associates**
INCORPORATED • MCCLURE • REALTORS
4690 CHABOT DRIVE, SUITE 200 • PLEASANTON, CA 94588
PHONE: (925) 227-9100 • FAX: (925) 227-9300

AREA MAP
PLANNED DEVELOPMENT
TRACT 7489 - EDEN SHORES EAST
 CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA



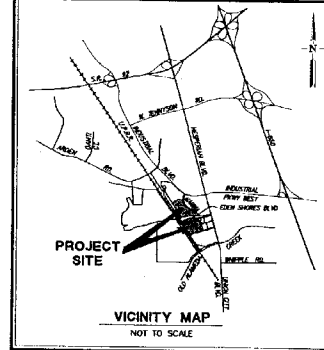
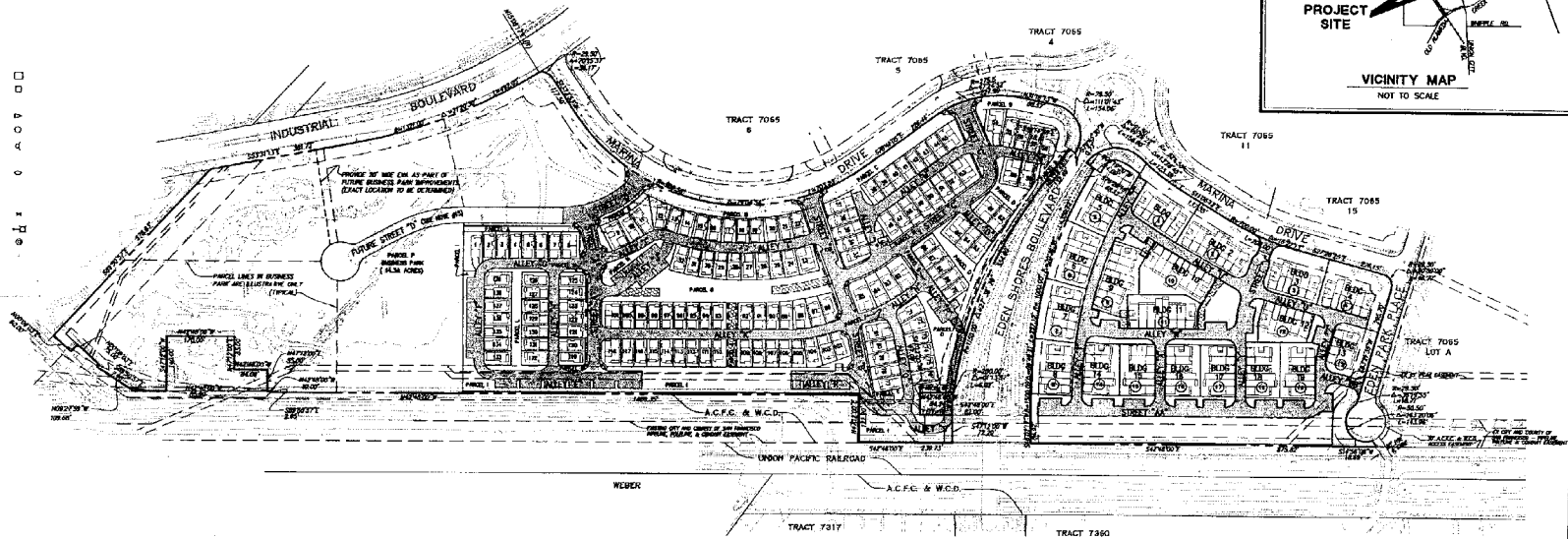
Ruggeri - Jensen - Azar & Associates
 ARCHITECTS & PLANNERS
 4520 CHANIT DRIVE, SUITE 200 • PLEASANTON, CA 94588
 PHONE: (925) 377-9100 • FAX: (925) 227-8300

LEGEND

PROPOSED	DESCRIPTION	EXISTING
---	TRACT BOUNDARY	
---	LOT LINE	
---	RIGHT OF WAY	
---	CENTER LINE	
---	WATCH LINE	
---	RETAINING WALL	
---	EASEMENT LINE	
---	STORM DRAIN	AS SHOWN
---	SANITARY SEWER	AS SHOWN
---	WATER	AS SHOWN
---	RECYCLED WATER	AS SHOWN
---	CLUB & GUTTER	AS SHOWN
---	SIDEWALK/WALKWAY	
---	EARTH OR GRASS SWALE	
---	CONCRETE DITCH	
---	STORM WATER INLET	
---	FIELD INLET	
---	AREA DRAIN	
---	DIRECTION OF FLOW	
---	MANHOLE	
---	FIRE HYDRANT	
---	BLOW OFF	
---	SANITARY SEWER CLEAN OUT	
---	WATER LATERAL WITH METER	
---	WATER VALVE	
---	STREET LIGHT	
---	MONUMENT	
---	TRAFFIC SIGN	
---	STREET NAME SIGN	
---	FENCE	
---	BARBICADE	
---	HANDICAP RAMP	
---	SPOT ELEVATION	
---	IRRIGATION SLEEVE	
---	REVERSE THRU-CURB DRAIN	
---	ASPHALT PAVEMENT	
---	LOT NO. (SINGLE FAMILY)	
---	LOT NO. (MULTI-FAMILY)	
---	PARCEL (SINGLE FAMILY)	
---	PARCEL (MULTI-FAMILY)	

ABBREVIATIONS	DESCRIPTION
AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
A.C.F.C.	ALAMEDA COUNTY FLOOD CONTROL
W.C.D.	WATER CONSERVATION DISTRICT
AD	AREA DRAIN
BC	BEGINNING OF CURVE
CL	CENTER LINE
C&G	CLUB AND GUTTER
DWY	DRIVEWAY
DP	DUCTILE IRON PIPE
EV&E	EMERGENCY VEHICLE ACCESS EASEMENT
EX	EXISTING
FF	FINISHED FLOOR ELEVATION
FC	FACE OF CURB
FG	FINISHED GRADE
FI	FIELD INLET
FL	FLOW LINE
GB	GRADE BREAK
GR	GRATE
HP	HIGH POINT
INV	INVERT ELEVATION
LP	LOW POINT
MA	MANHOLE
PAE	PRIVATE ACCESS EASEMENT
PL	PROPERTY LINE
PSDE	PRIVATE STORM DRAIN EASEMENT
PSE	PUBLIC SERVICE EASEMENT
PM	POLYMER CONCRETE PIPE
RCP	REINFORCED CONCRETE PIPE
RET	CLUB RETURN
RW	RIGHT OF WAY
SDC	STORM DRAIN EASEMENT
SSCO	SANITARY SEWER CLEAN OUT
SW	STORM WATER INLET
SWK	SIDEWALK
TC	TOP OF CURB
TM	TOP OF MOUNTAIN
WM	WATER METER
WCP	WETTED CLAY PIPE

VESTING TENTATIVE MAP TRACT 7489 - EDEN SHORES EAST CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA



GENERAL NOTES

- OWNER/DEVELOPER: DUC HOUSING GROUP
7407 WINCHESTER BOULEVARD, SUITE H
LOS GATOS, CA 95032
PHONE: (408) 888-5511 FAX: (408) 888-5501
JOE FANELLI
- CIVIL ENGINEER: RUGGERI-JENSEN-AZAR & ASSOCIATES
4090 CHADOT DRIVE, SUITE 200
PLEASANTON, CA 94508
PHONE: (925) 227-9100
RICHARD CHENG, RCE 43854, EXP. 6/30/97
- ASSESSOR'S PARCEL NUMBERS: 456-0087-001, 456-0087-002, 456-0087-003, 456-0087-004, 456-0087-005, 456-0087-006, 456-0087-007, 456-0087-008, 456-0087-009, 456-0087-010, 456-0087-011, 456-0087-012, 456-0087-013, 456-0087-014, 456-0087-015, 456-0087-016, 456-0087-017, 456-0087-018, 456-0087-019, 456-0087-020, 456-0087-021, 456-0087-022, 456-0087-023
- EXISTING USE: VACANT
- PROPOSED USE: RESIDENTIAL DEVELOPMENT AND BUSINESS PARK
- EXISTING ZONING: LIGHT MANUFACTURING AND BUSINESS PARK
- SITE AREA: 43.28 ACRES
- PROPOSED ZONING: PLANNED DEVELOPMENT DISTRICT AND BUSINESS PARK
- MINIMUM LOT SIZE: SINGLE FAMILY LOT 2,000 SF
- TOTAL NUMBER OF PROPOSED UNITS: SINGLE FAMILY HOMES 119, CONDOMINIUM HOMES 122
- BENCHMARK: CITY MONUMENT DISC AT THE INTERSECTION OF HESPERIAN BOULEVARD AND TIRPACH WAY, ELEVATION: 7.00 FEET

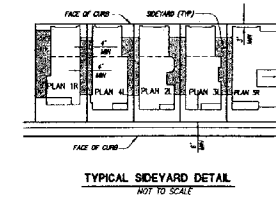
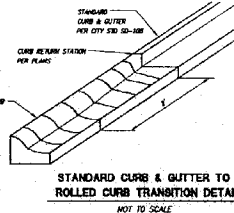
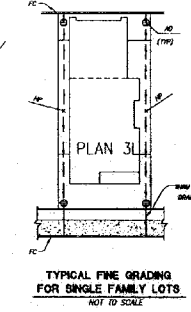
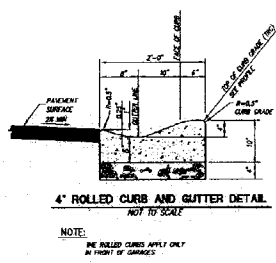
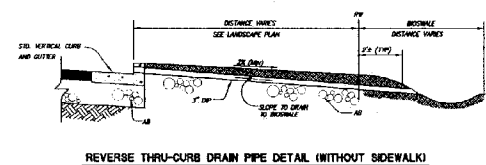
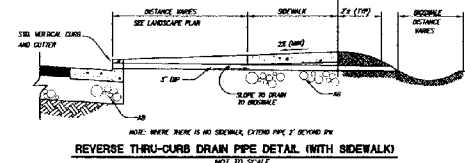
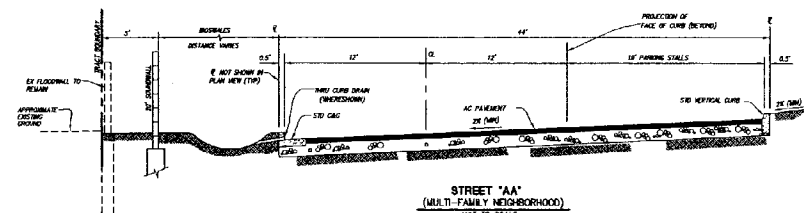
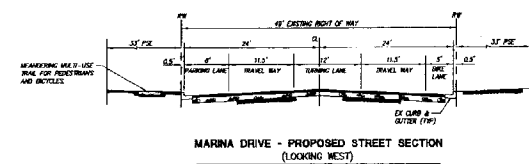
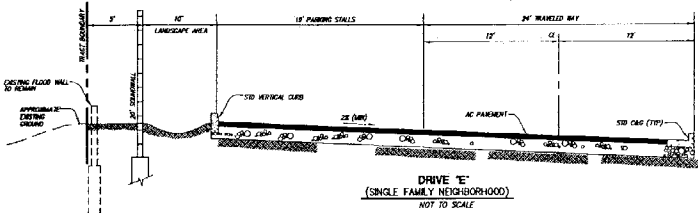
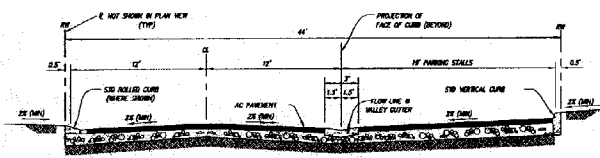
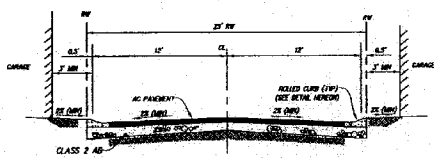
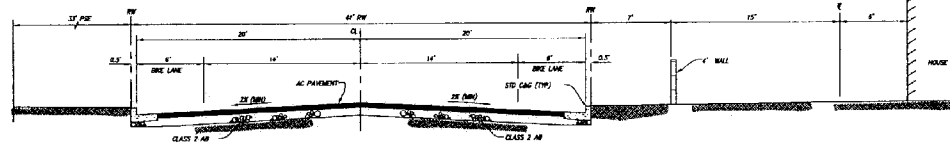
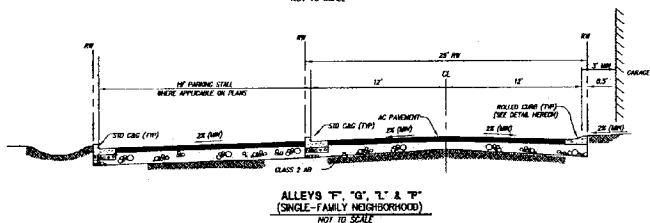
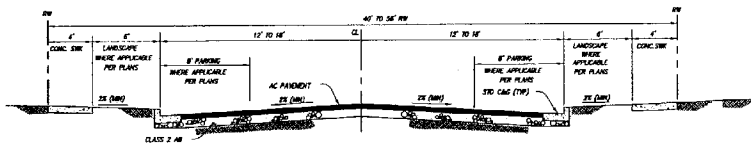
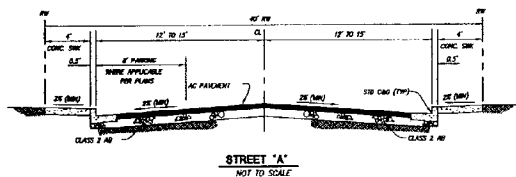
SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	STREET SECTIONS AND DETAILS
3	PRELIMINARY GRADING PLAN - (SINGLE FAMILY)
4	PRELIMINARY GRADING PLAN - (MULTI-FAMILY)
5	PRELIMINARY UTILITY PLAN - (SINGLE FAMILY)
6	PRELIMINARY UTILITY PLAN - (MULTI-FAMILY)

- UTILITIES:
 - a. WATER: CITY OF HAYWARD
 - b. SANITARY SEWER: CITY OF HAYWARD
 - c. STORM DRAIN: CITY OF HAYWARD
 - d. GAS AND ELECTRIC: PACIFIC GAS AND ELECTRIC
 - e. TELEPHONE: SBC
 - f. CABLE TV: COMCAST CABLE
 - g. FIRE PROTECTION: CITY OF HAYWARD
- ALL EROSION CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE CRITERIA AND STANDARDS OF THE CITY OF HAYWARD.
- BOUNDARY AS SHOWN IS COMPILED FROM RECORD INFORMATION AND DOES NOT REPRESENT A FIELD SURVEY OF THE PROPERTY.
- THE ALIGNMENT OF THIS FUTURE STREET IS SHOWN SCHEMATICALLY BASED ON THE APPROVED VESTING TENTATIVE MAP 7065
- THE DEVELOPER IS TO FILE MULTIPLE FINAL MAPS AFTER APPROVAL OF THE VESTING TENTATIVE MAP.

Ruggeri - Jensen - Azar & Associates
REGISTERED PROFESSIONAL ENGINEERS
4090 CHADOT DRIVE, SUITE 200 • PLEASANTON, CA 94508
PHONE: (925) 227-9100 • FAX: (925) 227-9300

STREET SECTIONS AND DETAILS
VESTING TENTATIVE MAP
TRACT 7489 - EDEN SHORES EAST
 CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA



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 A PROFESSIONAL ENGINEERING FIRM
 4800 CHADOT DRIVE, SUITE 200 • PLEASANTON, CA 94588
 PHONE: (925) 227-9100 • FAX: (925) 227-9500

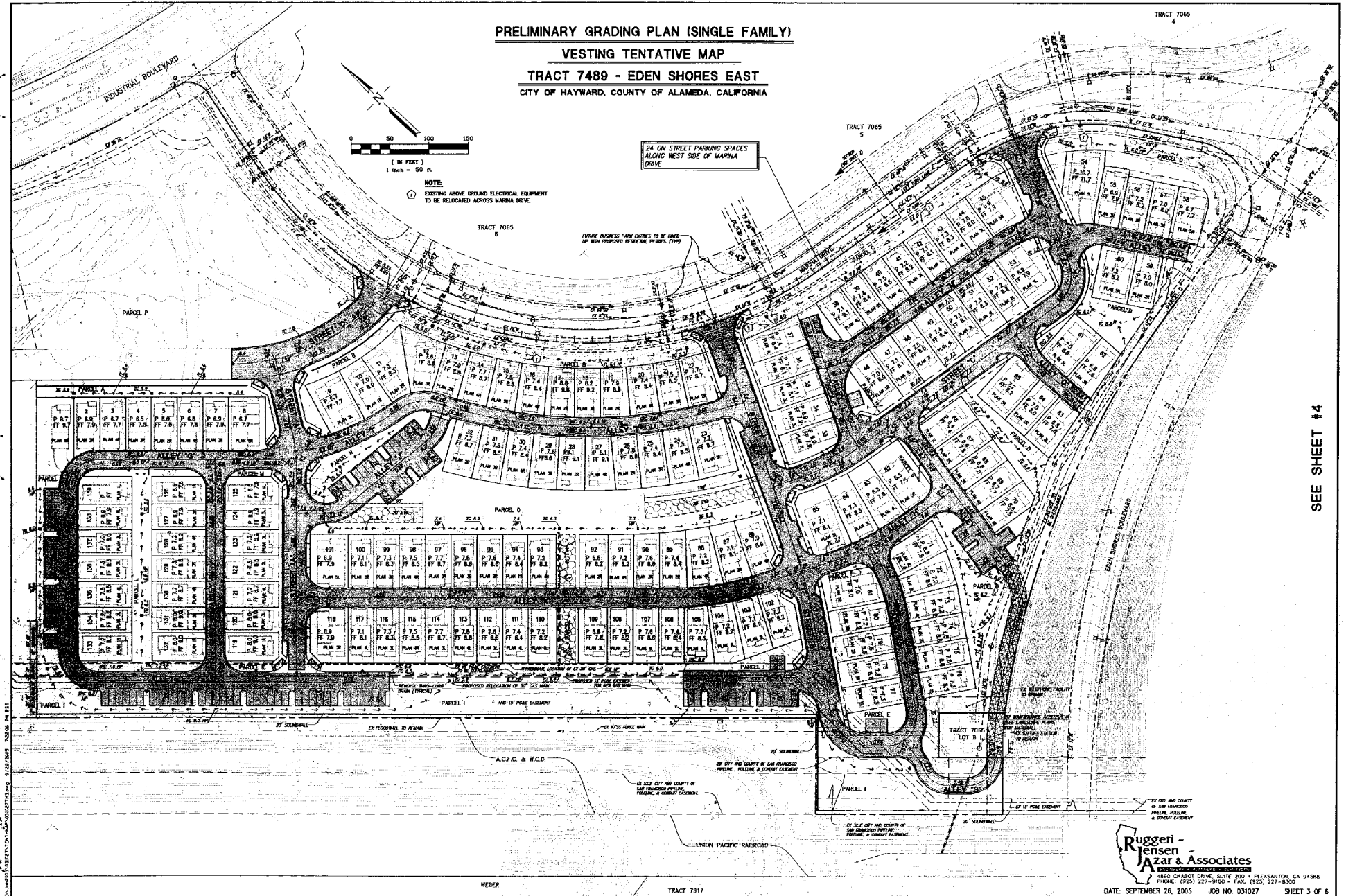
PRELIMINARY GRADING PLAN (SINGLE FAMILY)

VESTING TENTATIVE MAP

TRACT 7489 - EDEN SHORES EAST

CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA

TRACT 7065
4

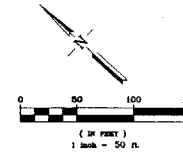


SEE SHEET #4

Ruggeri - Jensen & Associates
LANDSCAPE ARCHITECTS

4800 CHANDLER DRIVE, SUITE 200 • PLEASANTON, CA 94566
PHONE: (925) 227-8900 • FAX: (925) 227-8300
DATE: SEPTEMBER 26, 2005 JOB NO. 031027 SHEET 3 OF 6

PRELIMINARY GRADING PLAN (MULTI-FAMILY)
 VESTING TENTATIVE MAP
 TRACT 7489 - EDEN SHORES EAST
 CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA



SEE SHEET 43

34 ON STREET PARKING SPACES
 ALONG SOUTH SIDE OF EDEN PARK
 PLACE BETWEEN MADRIVA DRIVE &
 HESPERIAN BLVD.

13 ON STREET PARKING SPACES
 ALONG SOUTH SIDE OF EDEN PARK
 PLACE

PLAN KEY NOTES:

- ① EXISTING ABOVE GROUND ELECTRICAL EQUIPMENT
 TO BE RELOCATED ACROSS MADRIVA DRIVE, PER ELECTRICAL
 DESIGN PLANS.
- ② TRANSITION FROM STANDARD CURB TO ROLLED CURB.
- ③ TRANSITION FROM STANDARD CURB TO VERTICAL CURB.
- ④ TRANSITION FROM VERTICAL CURB TO ROLLED CURB.

NOTE:

1. PROPERTY LINES ADJACENT TO CURBS NOT
 SHOWN. SEE TYPICAL SECTIONS ON SHEET #2.

CAUTION - EXISTING 30"
 GAS LINE TO REMAIN

36" CITY & COUNTY
 OF SAN FRANCISCO -
 FIRELINE, FIRELINE &
 CEMENT EXISTENT

36" CITY & COUNTY
 OF SAN FRANCISCO -
 FIRELINE, FIRELINE &
 CEMENT EXISTENT

CAUTION - EXISTING 30"
 GAS LINE TO REMAIN

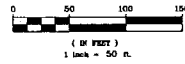
A.C.F.C. & W.C.D.

**Ruggeri -
 Jensen & Associates**
 4090 CHABOT DRIVE, SUITE 200 - PLEASANTON, CA 94588
 PHONE: (925) 227-9100 • FAX: (925) 227-9300

DATE: SEPTEMBER 26, 2006 10:00 AM 10:00 AM SHEET 4 OF 4

PRELIMINARY UTILITY PLAN (SINGLE FAMILY)
 VESTING TENTATIVE MAP
 TRACT 7489 - EDEN SHORES EAST
 CITY OF HAYWARD, COUNTY OF ALAMEDA, CALIFORNIA

NOTE:
 EX ABOVE GROUND ELECTRICAL EQUIPMENT
 TO BE RELOCATED ACROSS MARINA DRIVE.



SEE SHEET #6

NOTES:






1. EXISTING UTILITIES ARE BASED ON TRACT 7065 FIELD SURVEY WILL BE PERFORMED AT A LATER DATE.
2. ALL STORM DRAIN PIPES SHALL BE REINFORCED CONCRETE PIPE.
3. ALL SANITARY SEWER PIPES SHALL BE POLYETHYLENE GLASS REINFORCED PIPE.
4. ALL WATER PIPES SHALL BE POLYETHYLENE GLASS REINFORCED PIPE.

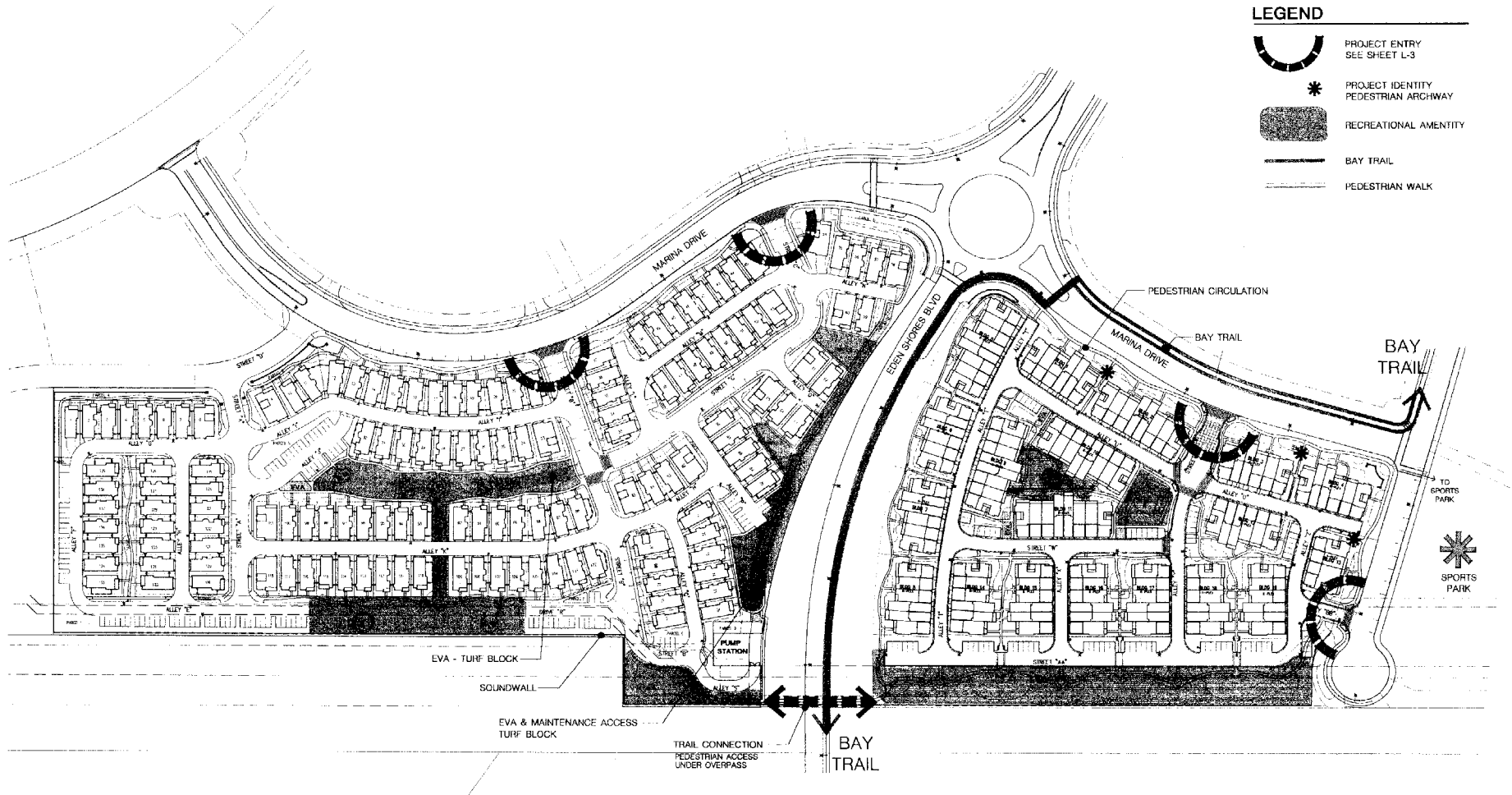
Ruggeri -
 Jensen
 Jazar & Associates
 ENGINEERS & ARCHITECTS

DATE: SEPTEMBER 26, 2005 JOB NO. 031027 SHEET 5 OF 6

TRACT 7360

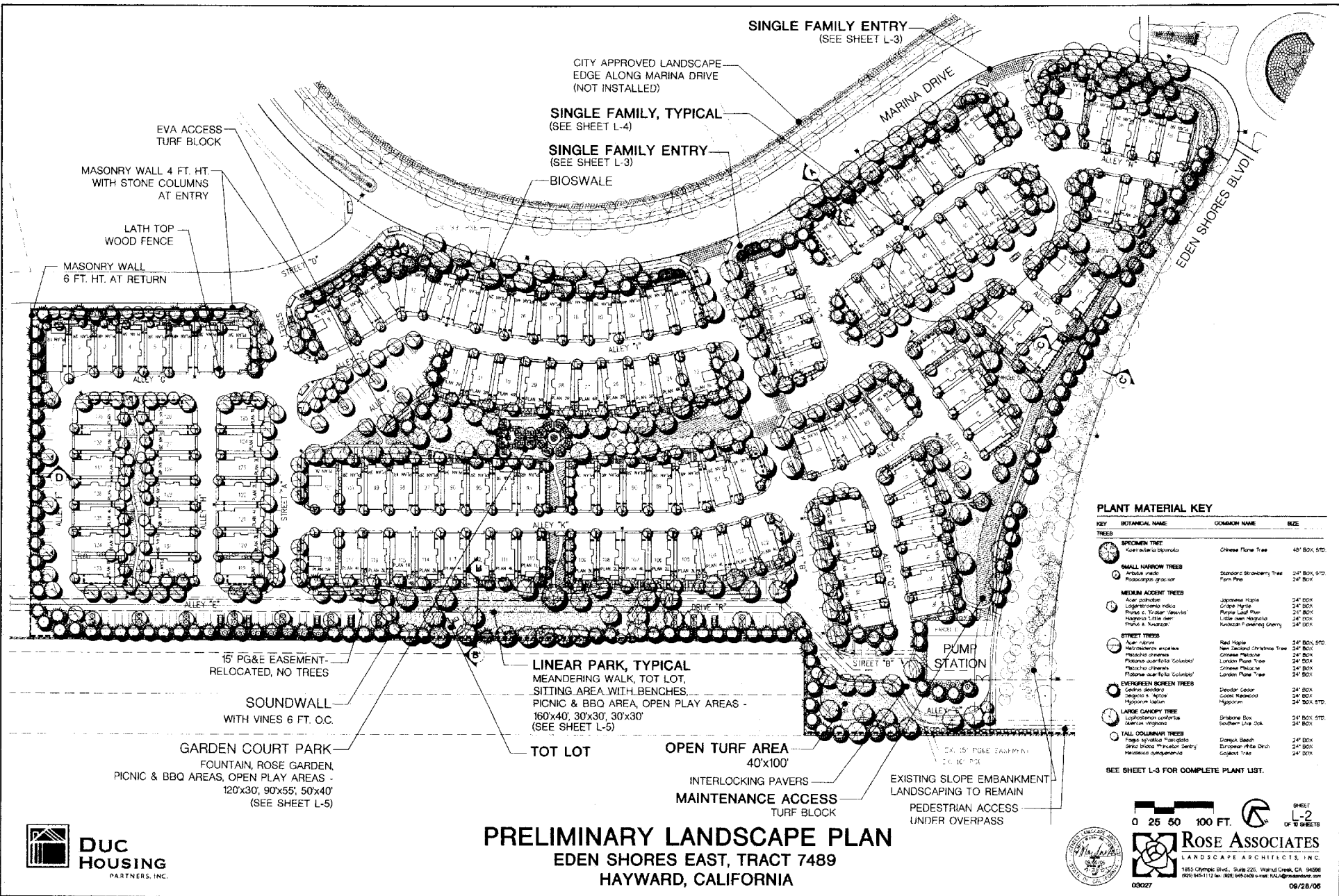
LEGEND

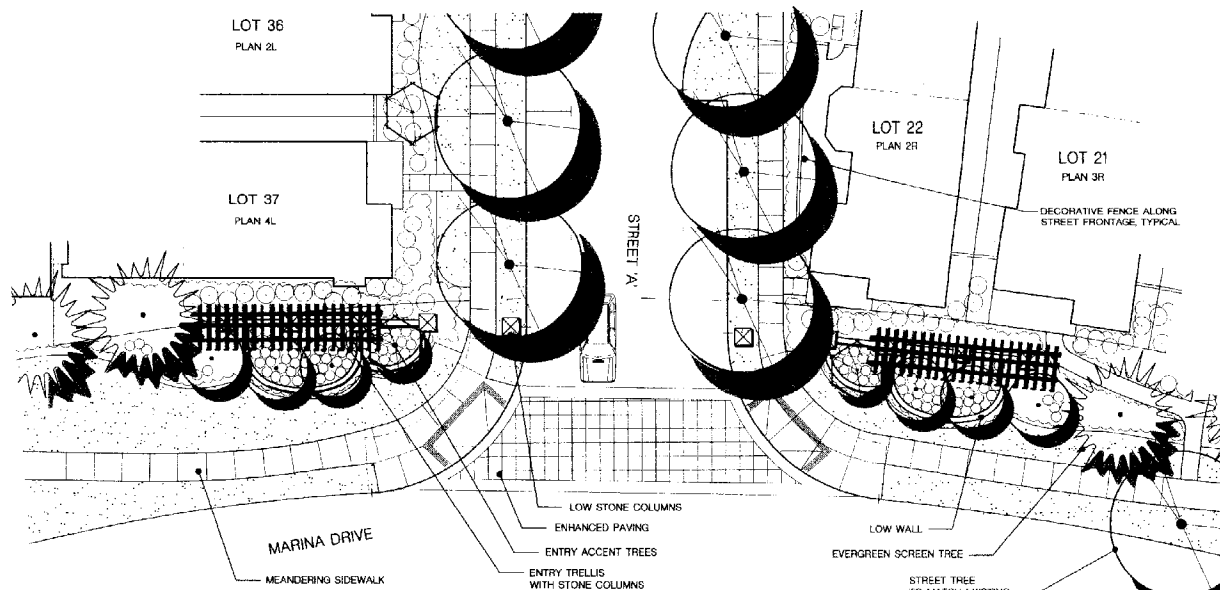
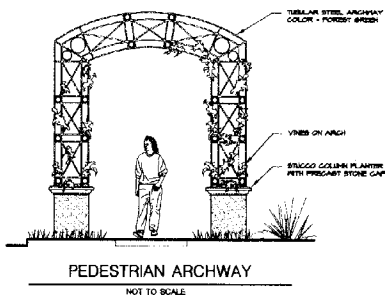
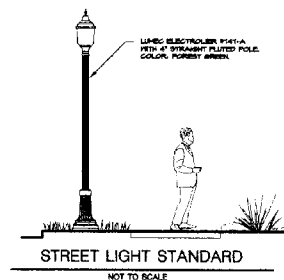
-  PROJECT ENTRY
SEE SHEET L-3
-  PROJECT IDENTITY
PEDESTRIAN ARCHWAY
-  RECREATIONAL AMENITY
-  BAY TRAIL
-  PEDESTRIAN WALK



CIRCULATION PLAN EDEN SHORES EAST, TRACT 7489 HAYWARD, CALIFORNIA

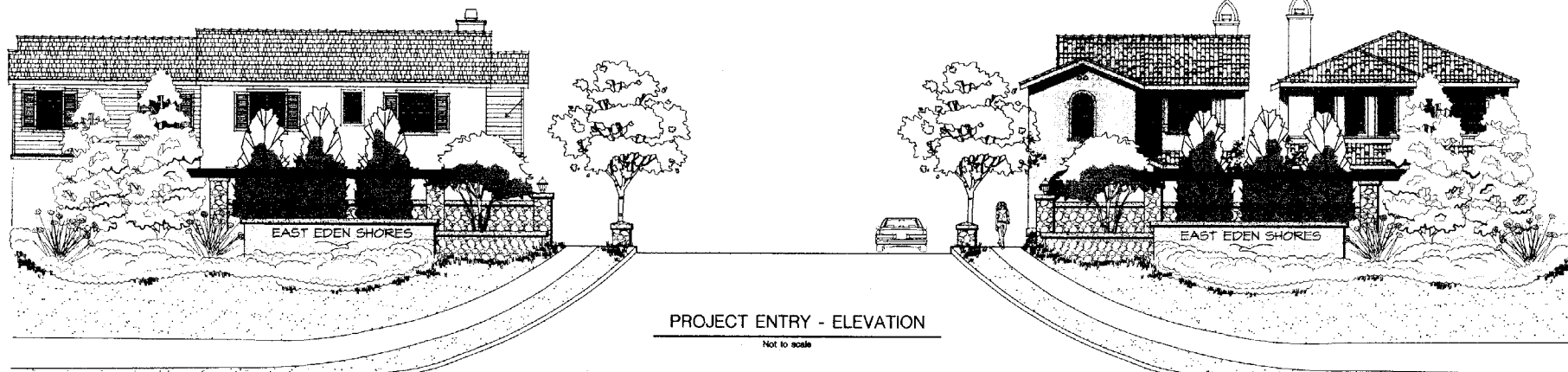






PROJECT ENTRY - PLAN

Scale 1"=10'-0"



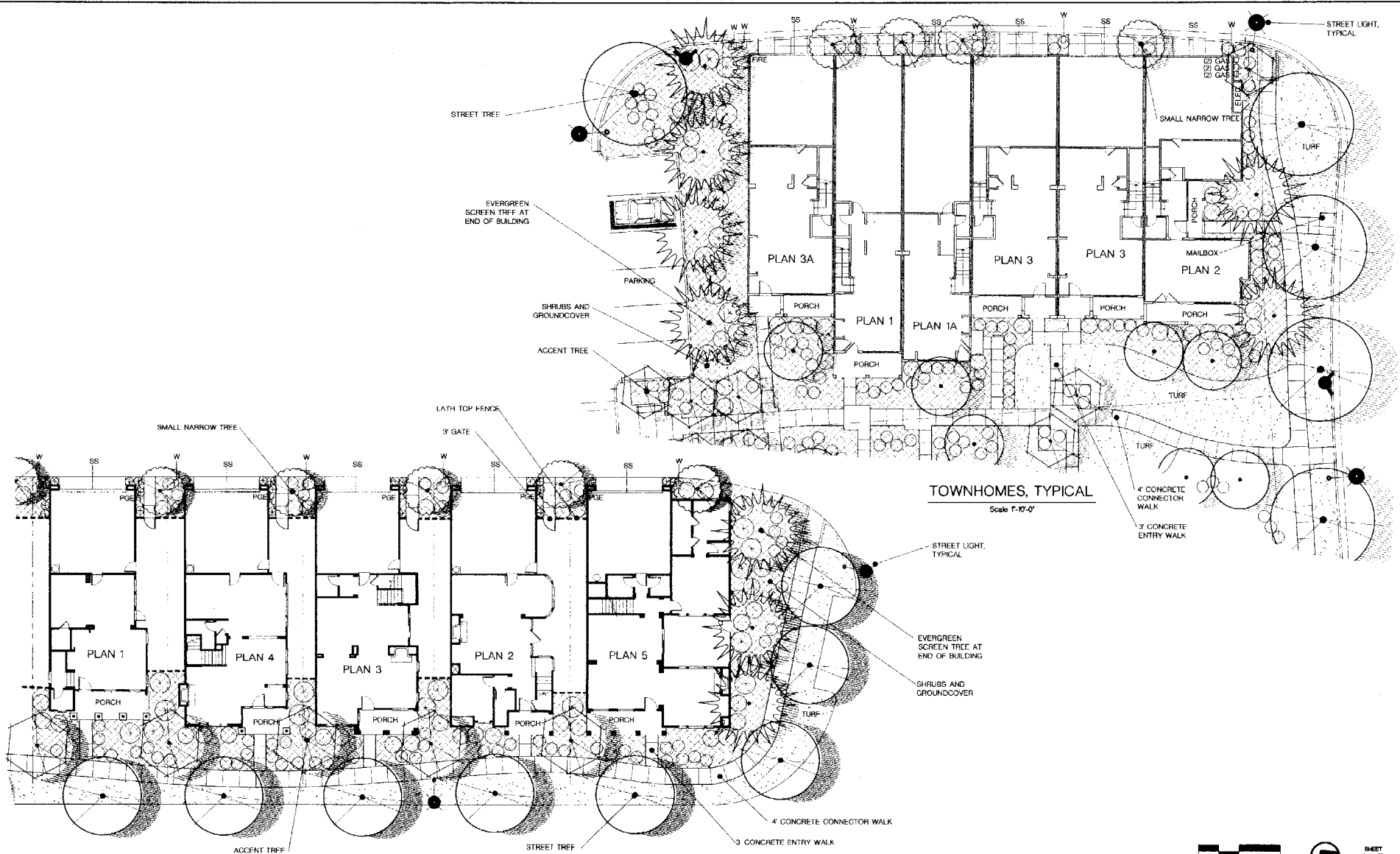
Project Entry
PRELIMINARY LANDSCAPE PLAN
EDEN SHORES EAST, TRACT 7489
HAYWARD, CALIFORNIA



SHEET
L-4
OF 10 SHEETS

06/08/06

C:\3000\03027\dwg\prelim\prelim.dwg, 12/11/2009 10:00:40 AM



SINGLE FAMILY, TYPICAL
Scale 1"=10'-0"

PRELIMINARY LANDSCAPE PLAN EDEN SHORES EAST, TRACT 7489 HAYWARD, CALIFORNIA

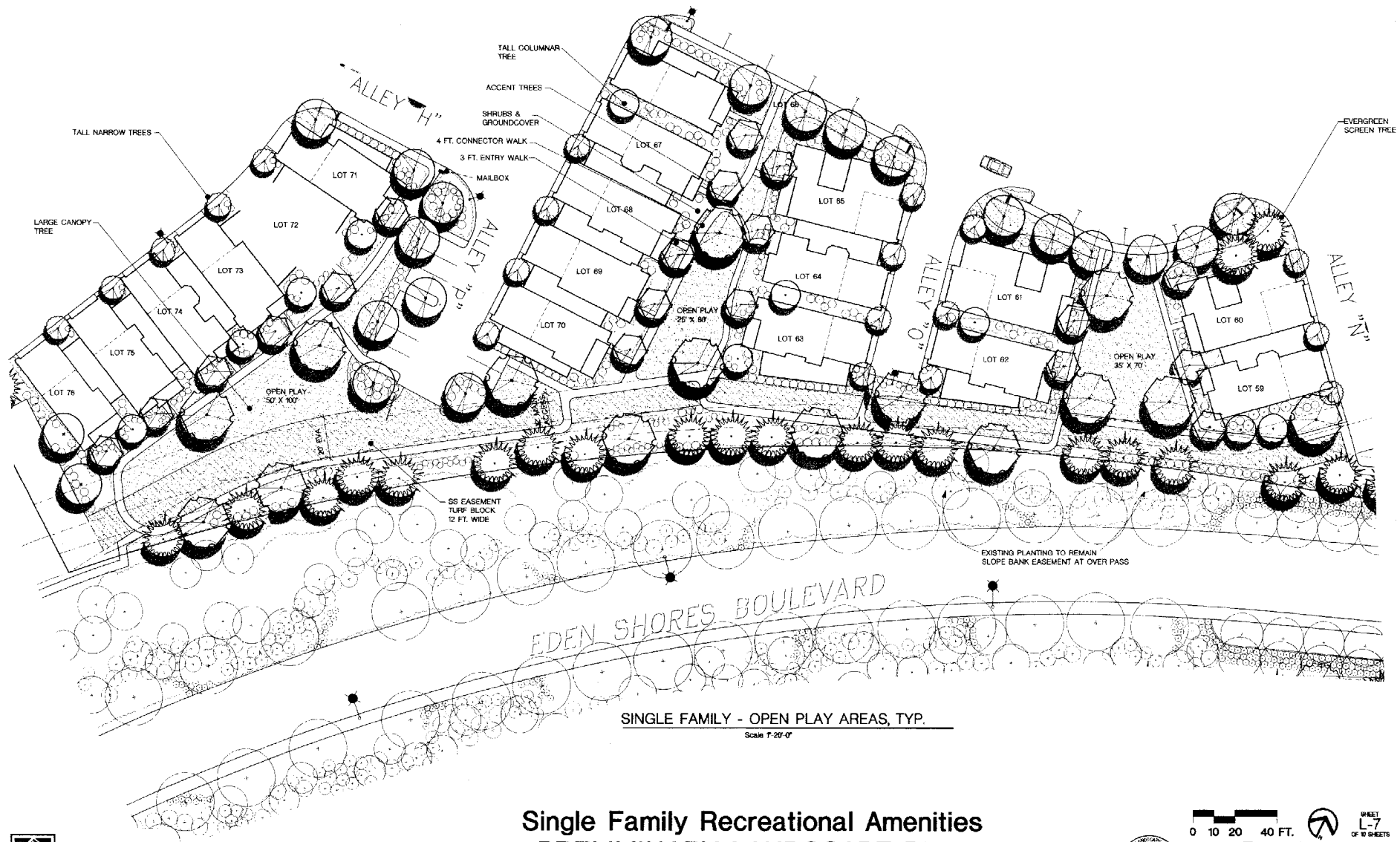


0 5 10 20 FT.

ROSE ASSOCIATES
LANDSCAPE ARCHITECTS, INC.
1856 Olympic Blvd., Suite 220, Walnut Creek, CA 94596
(925) 945-1112 fax (925) 945-1008 email RAL@roseandark.com

SHEET
L-5
OF 10 SHEETS

03027 09/28/06



DUC HOUSING
PARTNERS, INC.

Single Family Recreational Amenities PRELIMINARY LANDSCAPE PLAN EDEN SHORES EAST, TRACT 7489 HAYWARD, CALIFORNIA



0 10 20 40 FT.



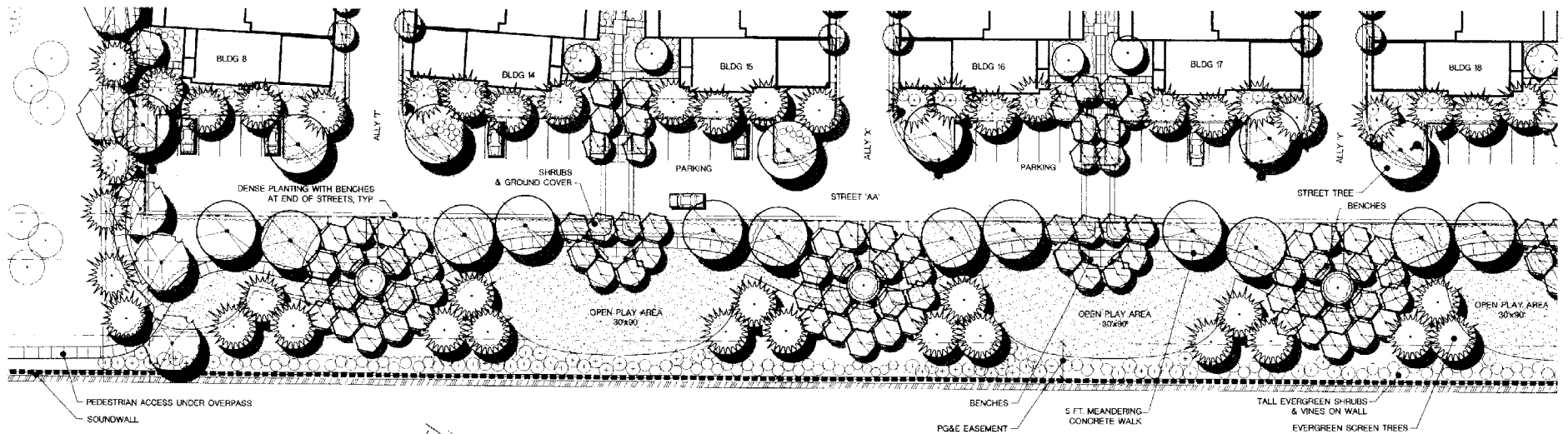
ROSE ASSOCIATES
LANDSCAPE ARCHITECTS, INC.

1805 Cypress Blvd., Suite 225, Walnut Creek, CA 94596
(925) 945-1151 fax (925) 945-0400 e-mail: RAL@roseassociates.com

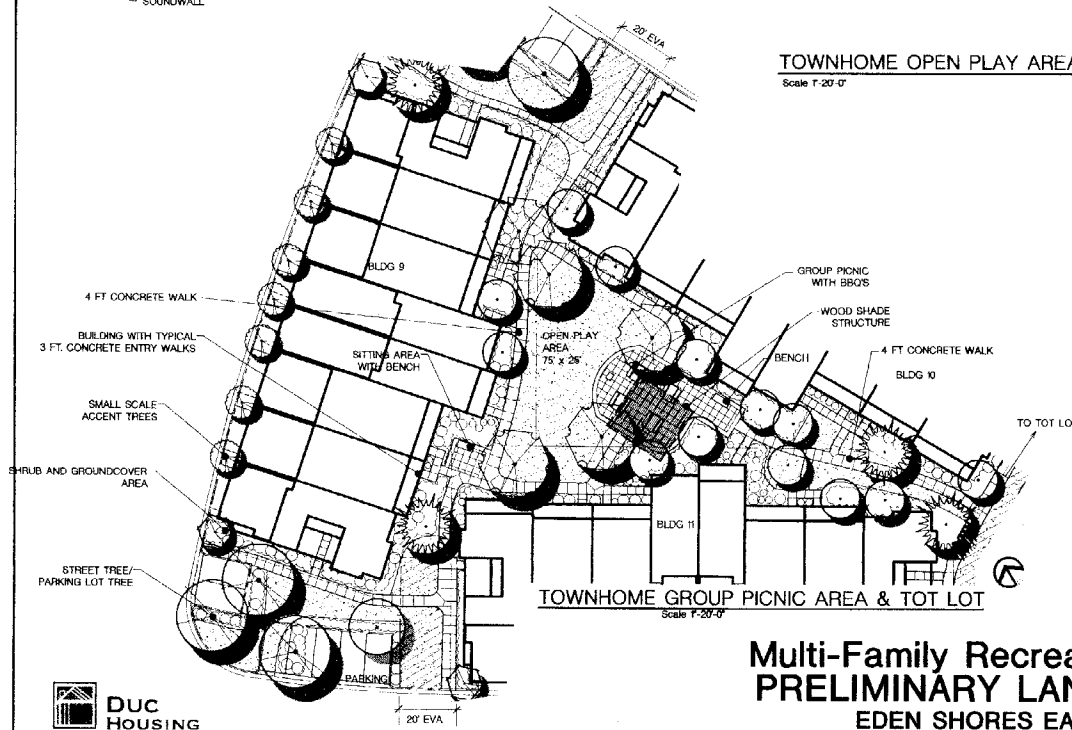
03027

06/28/05

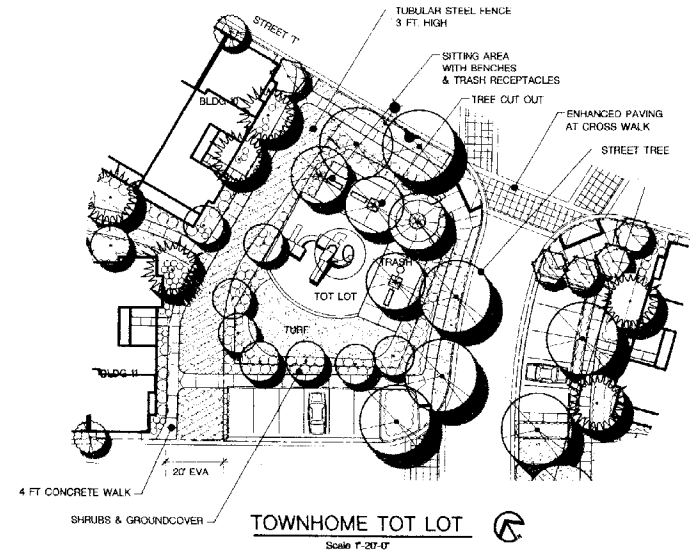
SHEET
L-7
OF 10 SHEETS



TOWNHOME OPEN PLAY AREA, TYP.
Scale 1"=20'-0"

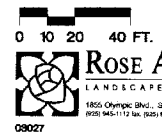


TOWNHOME GROUP PICNIC AREA & TOT LOT
Scale 1"=20'-0"



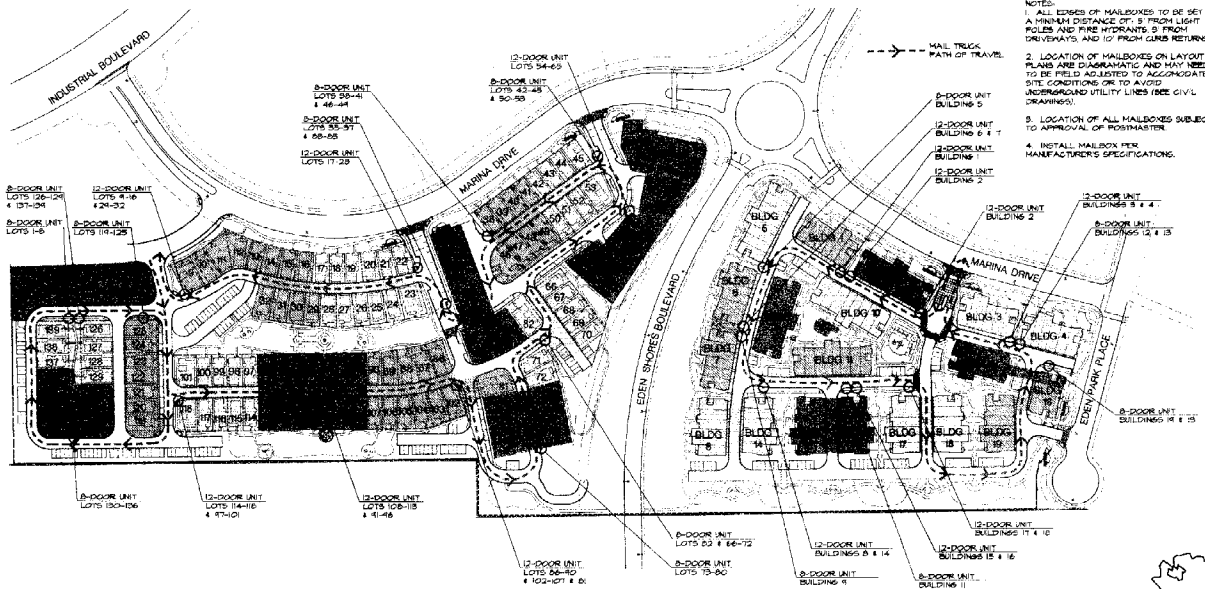
TOWNHOME TOT LOT
Scale 1"=20'-0"

Multi-Family Recreational Amenities PRELIMINARY LANDSCAPE PLAN EDEN SHORES EAST, TRACT 7489 HAYWARD, CALIFORNIA



ROSE ASSOCIATES
LANDSCAPE ARCHITECTS, INC.
1855 Olympic Blvd., Suite 220, Walnut Creek, CA 94596
(925) 945-1112 fax: (925) 945-0400 e-mail: RA@roselandscape.com
08/28/06

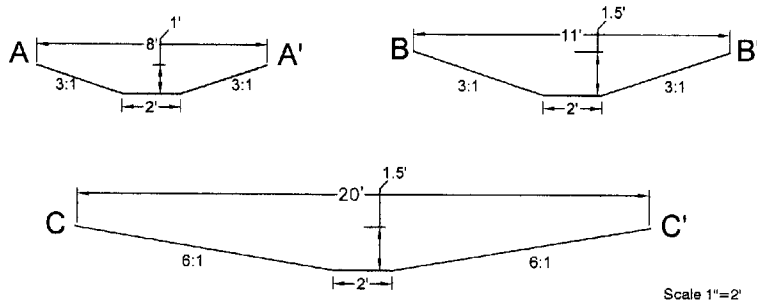
SHEET
L-8
OF 10 SHEETS



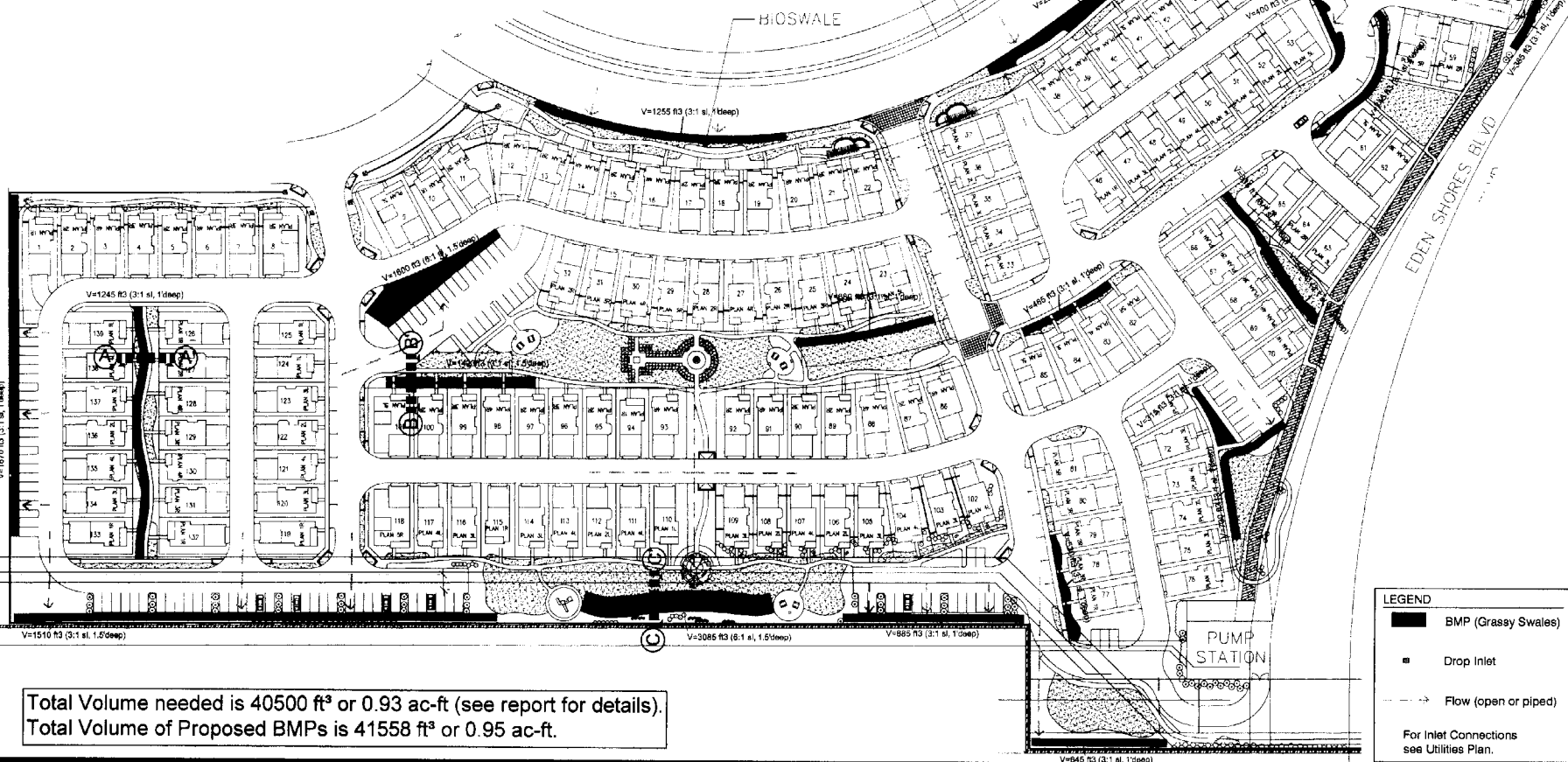


Notes

- Existing drainage :
The site is a level, filled plain.
Historically the site drained through local drainage ditches to a pump.
- Soil conditions :
Prior to fill, soils were Omni and Reyes series.
- Depth to groundwater :
Prior to fill, depth to groundwater was 2 to 5 ft during winter. The site has been filled by roughly 3 ft.



BMP BIOSWALES CROSS-SECTIONS
(see Sheet 2 for Detailed Cross-section)



Total Volume needed is 40500 ft³ or 0.93 ac-ft (see report for details).
Total Volume of Proposed BMPs is 41558 ft³ or 0.95 ac-ft.

- LEGEND**
- BMP (Grassy Swales)
 - Drop Inlet
 - Flow (open or piped)
- For Inlet Connections
see Utilities Plan.

EDEN SHORES EAST RESIDENTIAL NORTH

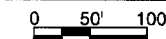
City of
Hayward



95 Linden Street, Suite 6
Oakland, California, 94607
510.622.8110

Post-Construction Water Quality BMP Details

DATE : 08/02/2005



Approximate Scale
SCALE : 1 INCH = 50 FEET



North Side:
18.5 ac Total
Roofs: 4.88 ac
Streets & Driveways: 4.67 ac
0.05 ac-ft/imp ac
BMP: 0.243 ac-ft BMP
S/D: 0.2335 ac-ft BMP

Revisions :

Date	Description

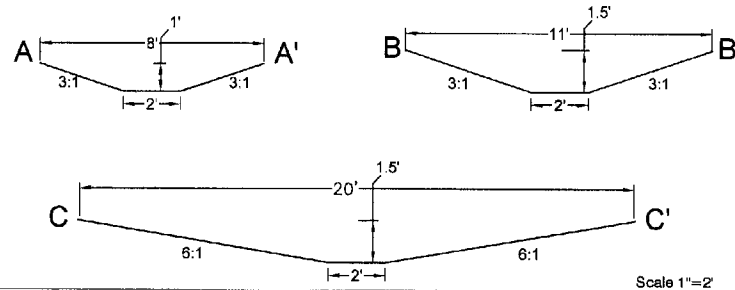
PROJECT 706 DUC

SHEET 1 OF 2

C:\Projects\706duc\BMP\0805BMP.dwg

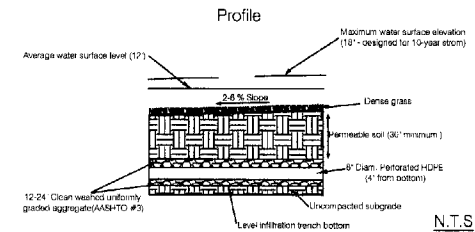
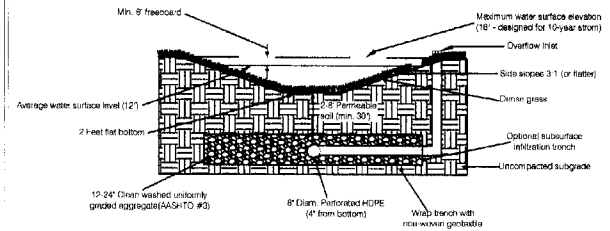
Notes

- Existing drainage:
The site is a level, filled plain.
Historically the site drained through local drainage ditches to a pump.
- Soil conditions:
Prior to fill, soils were Omni and Reyes series.
- Depth to groundwater:
Prior to fill, depth to groundwater was 2 to 5 ft during winter. The site has been filled by roughly 3 ft.

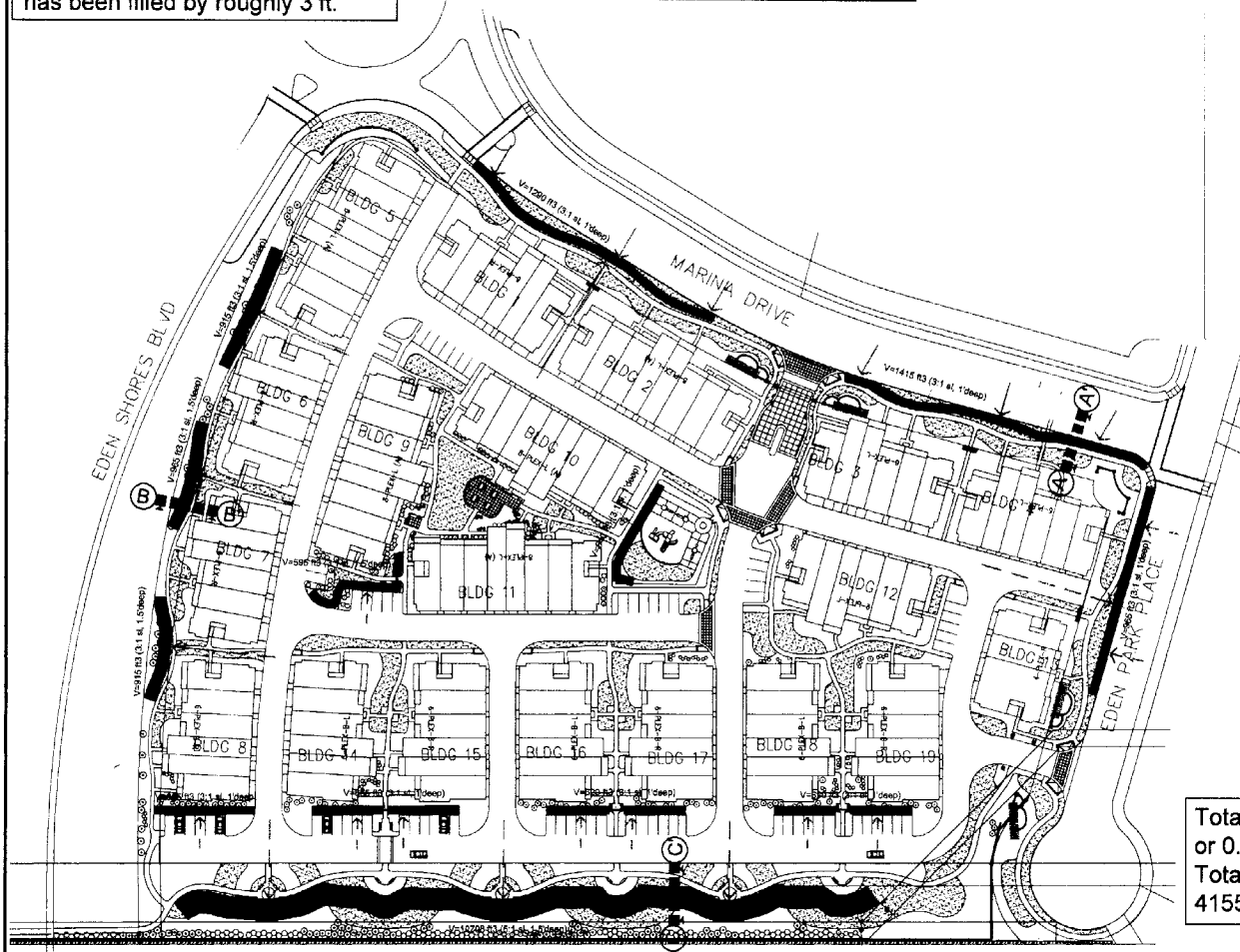


BMP BIOSWALES CROSS-SECTIONS

Scale 1"=2'



DETAILED BMP BIOSWALE CROSS-SECTION



Total Volume needed is 40500 ft³ or 0.93 ac-ft (see report for details).
Total Volume of Proposed BMPs is 41558 ft³ or 0.95 ac-ft.

LEGEND

■ BMP (Grassy Swales)

■ Drop Inlet

→ Flow (open or piped)

For Inlet Connections
see Utilities Plan.

EDEN SHORES EAST RESIDENTIAL SOUTH

City of
Hayward



95 Linden Street, Suite 6
Oakland, California 94607
510.622.8110

Post-Construction Water Quality BMP Details

DATE : 06/02/2005

0 50' 100'

Approximate Scale
SCALE : 1 INCH = 50 FEET



South Side:
11.4 ac Total
Roofs: 3.94 ac
Streets & Driveways: 2.54 ac
BMP: 0.05 ac-ft/imp ac
BMP: 0.107 ac-ft BMP
S/D: 0.127 ac-ft BMP

Revisions :

Date	Description

PROJECT 706 DUC

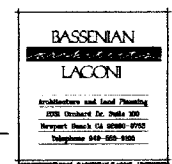
SHEET 2 OF 2

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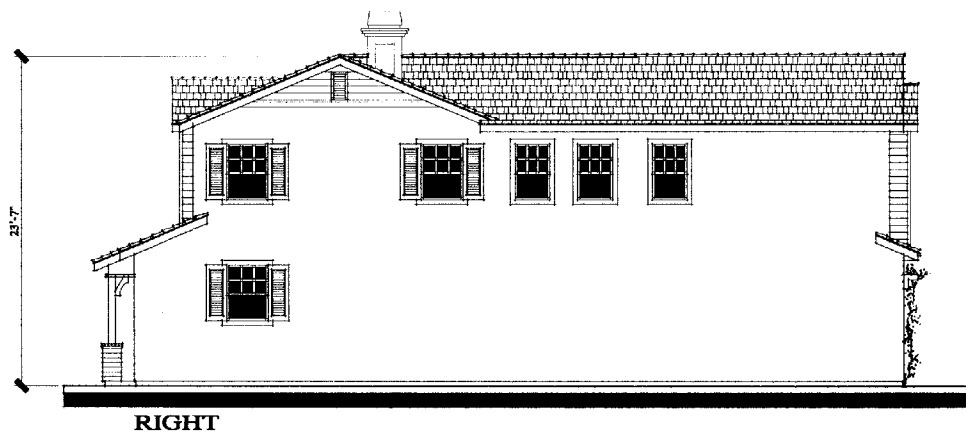


PLAN 1 • 1,694 SQ. FT.
HAYWARD, CALIFORNIA
~~EDEN SHORES EAST RESIDENTIAL~~
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"



134-04079



RIGHT



FRONT



LEFT

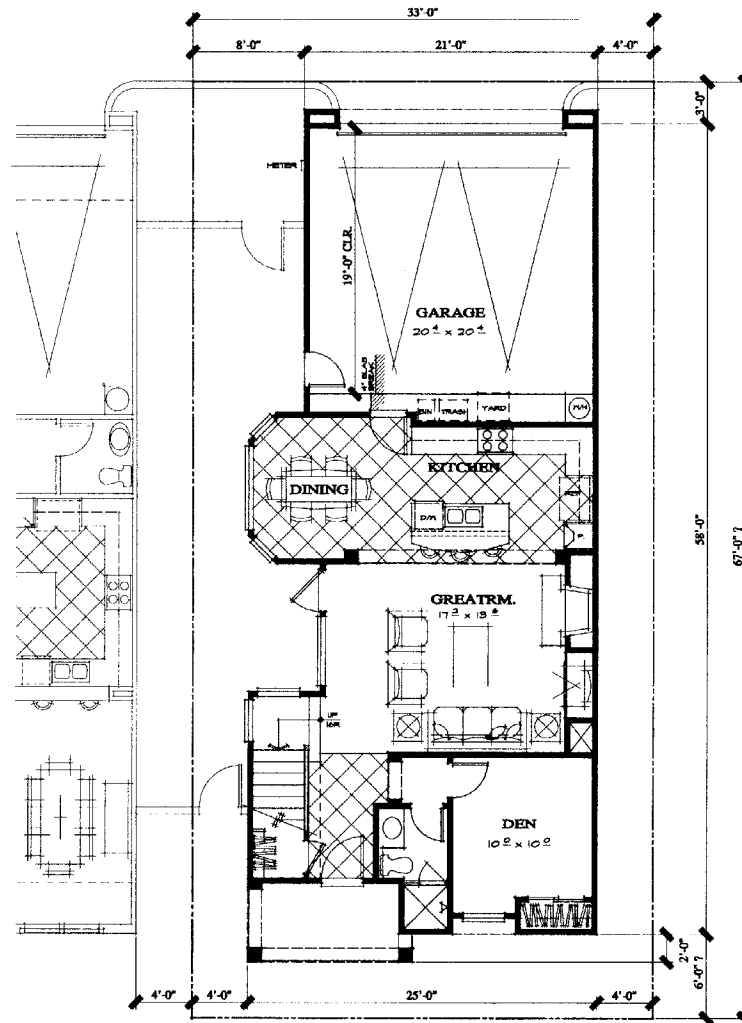
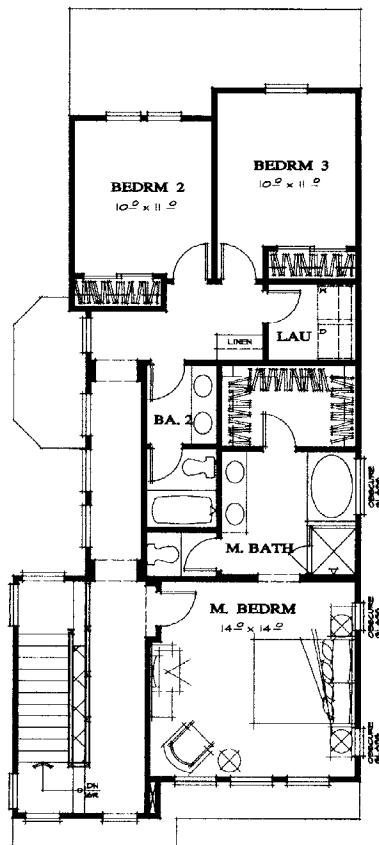


REAR

PLAN 1-A ELEVATIONS
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"





ELEV. - B



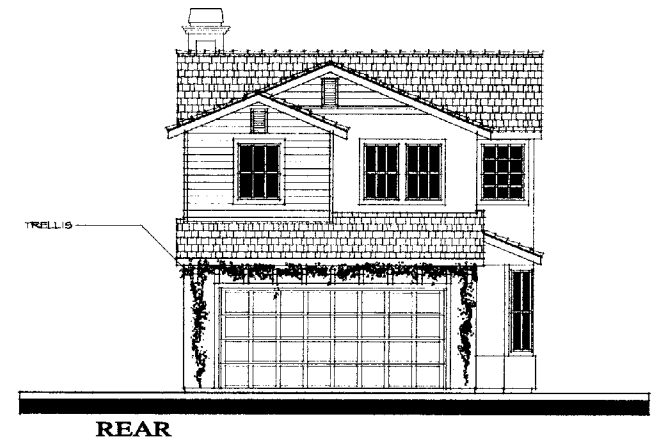
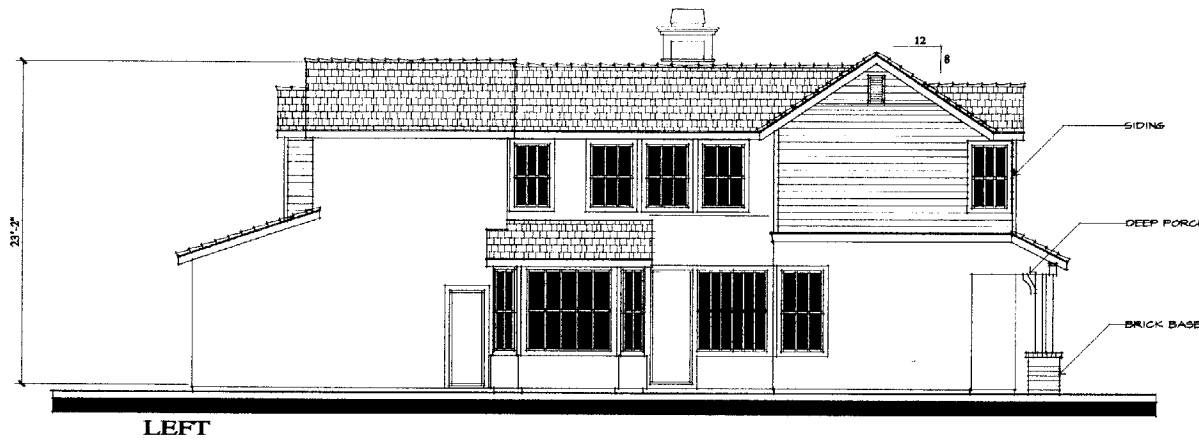
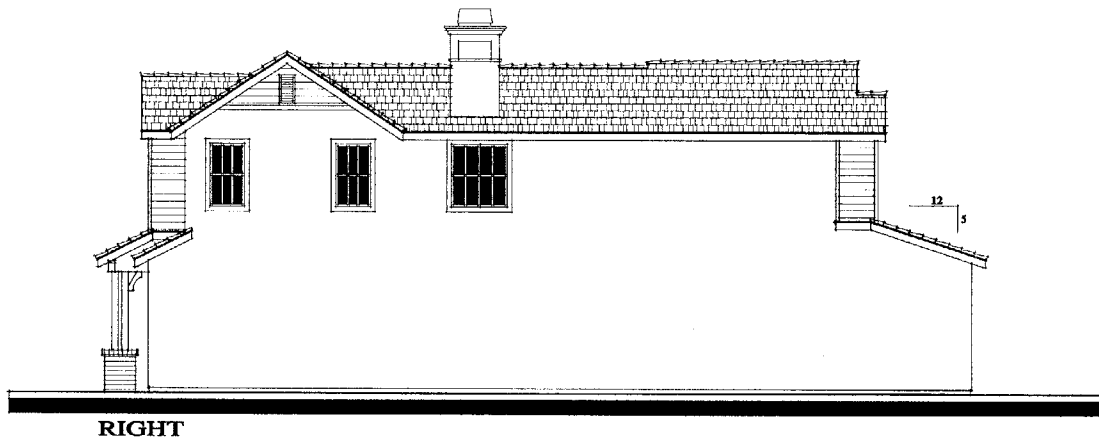
ELEV. - C

PLAN 2 • 1,832 SQ. FT.
 HAYWARD, CALIFORNIA
 EDEN SHORES EAST RESIDENTIAL
 DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"



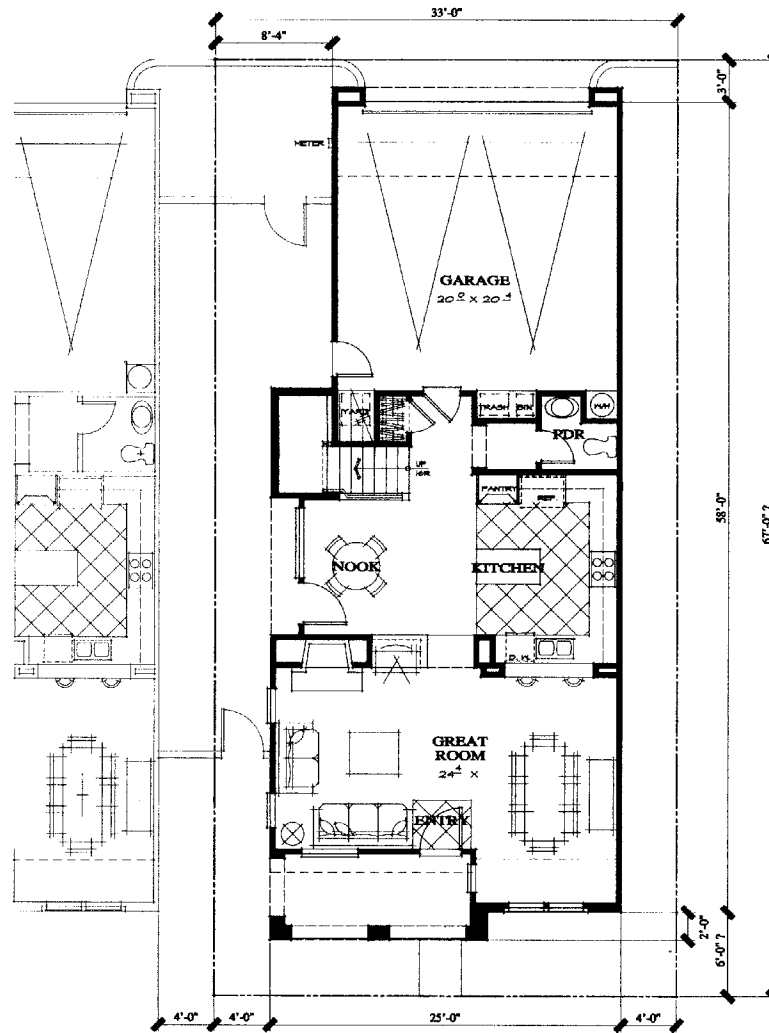
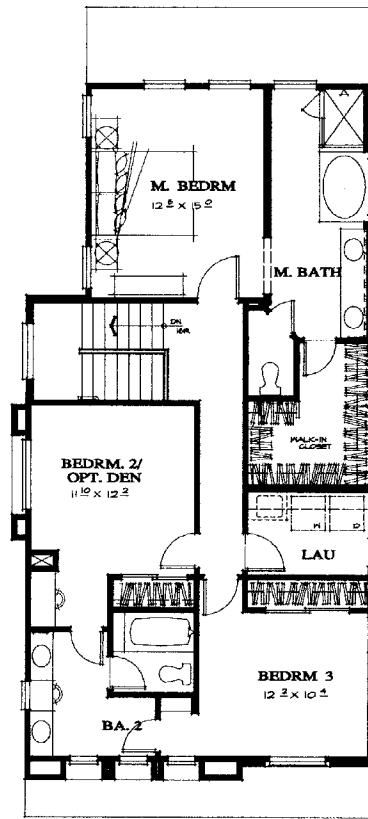
134-04079



PLAN 2-A ELEVATIONS
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"

BASSENIAN
LACONI
Architecture and Land Planning
1000 Redwood Dr., Suite 100
Berkeley, CA 94708
Telephone 415-855-8100
134-04079



ELEV. - B

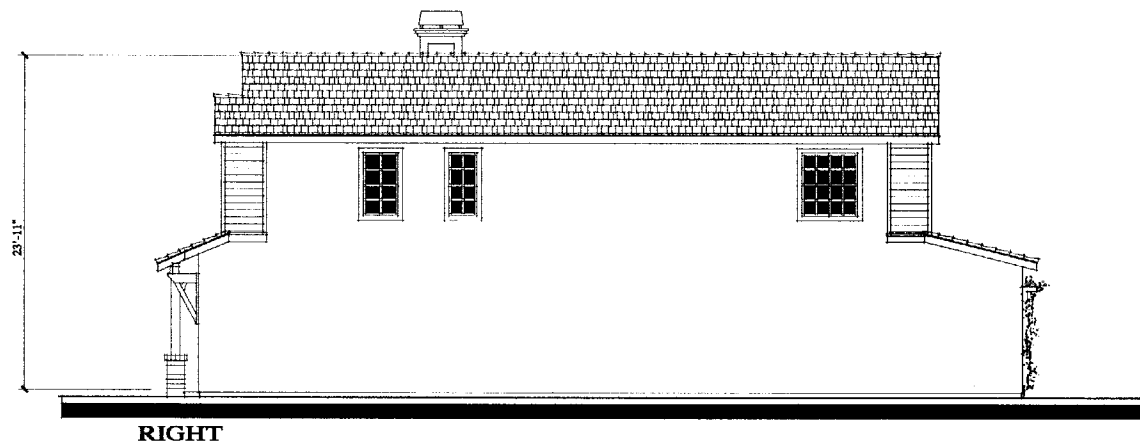


ELEV. - C

PLAN 3 • 1,923 SQ. FT.
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"

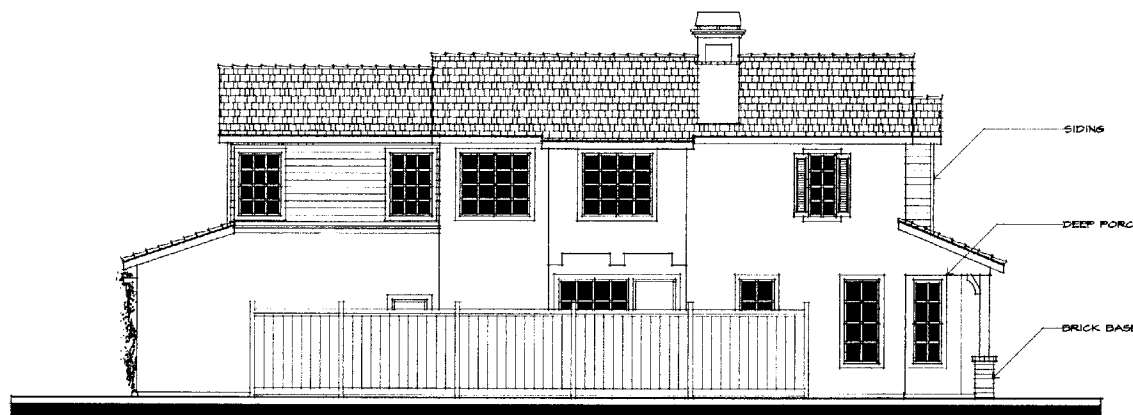




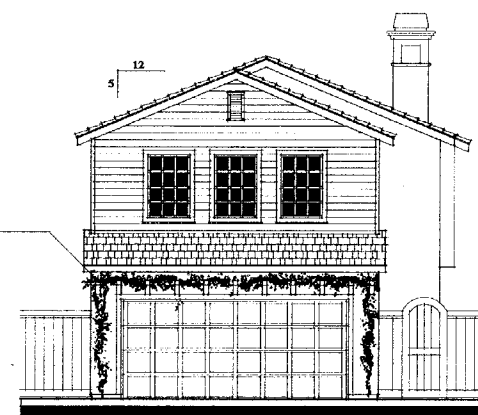
RIGHT



FRONT



LEFT



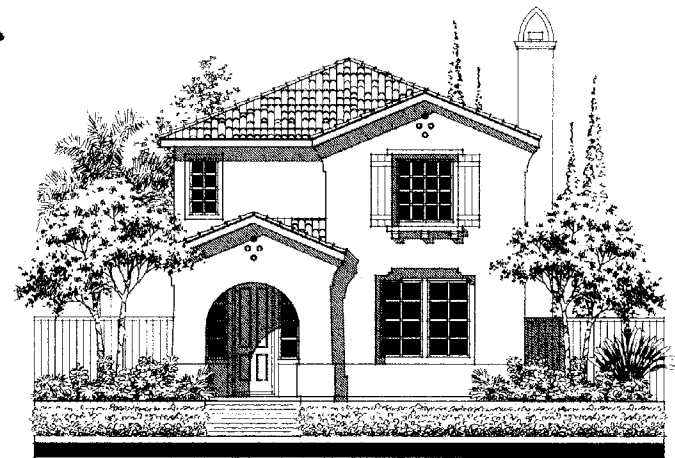
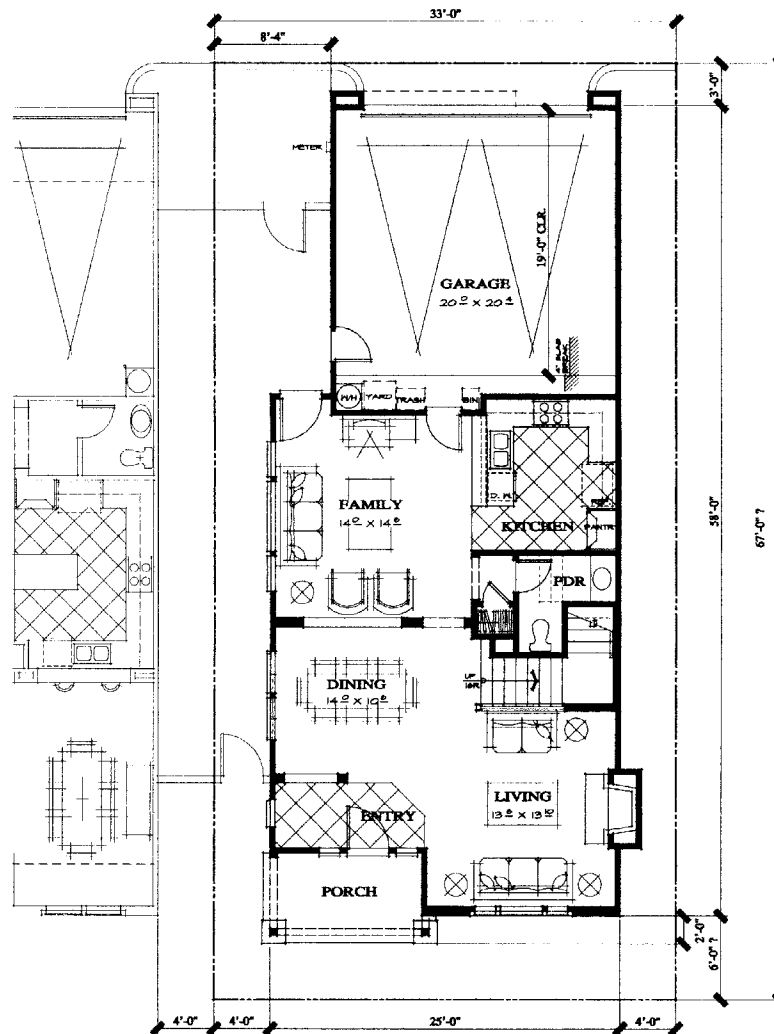
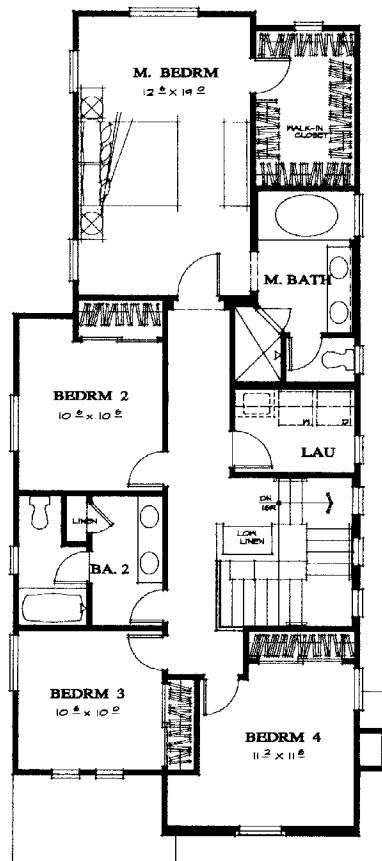
REAR

PLAN 3-A ELEVATIONS
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"

BASSENIAN
LACONI
Architects and Land Planning
2000 Orchard Dr. Suite 100
Hayward Beach, CA 94560-0700
Telephone 949-353-8500

134-04079



ELEV. - B



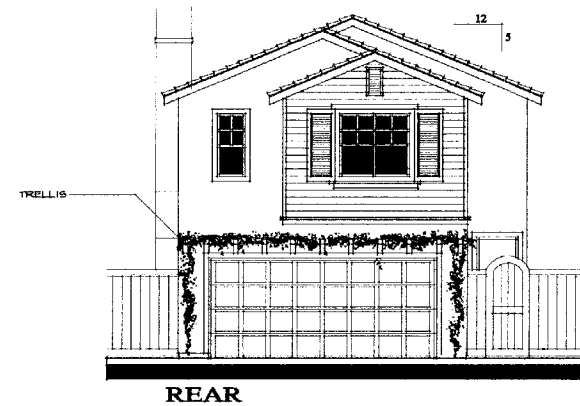
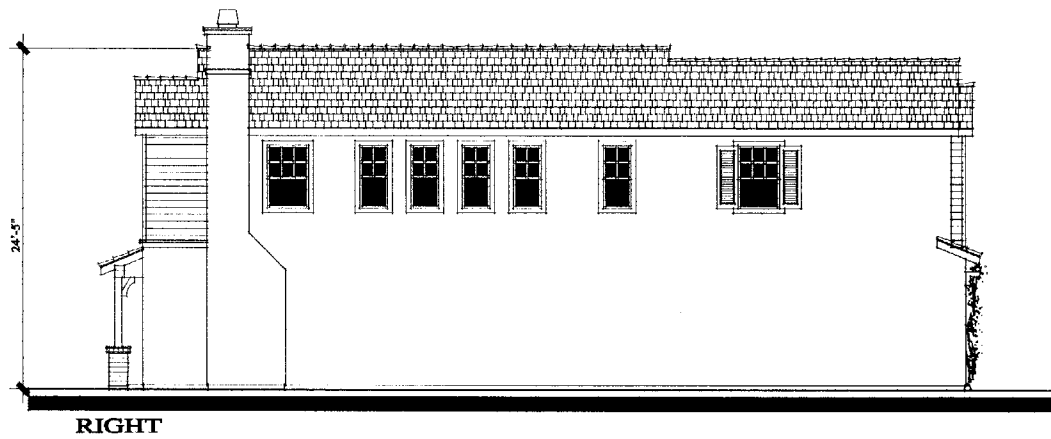
ELEV. - C

PLAN 4 • 2,124 SQ. FT.
 HAYWARD, CALIFORNIA
 EDEN SHORES EAST RESIDENTIAL
 DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"



134-04079

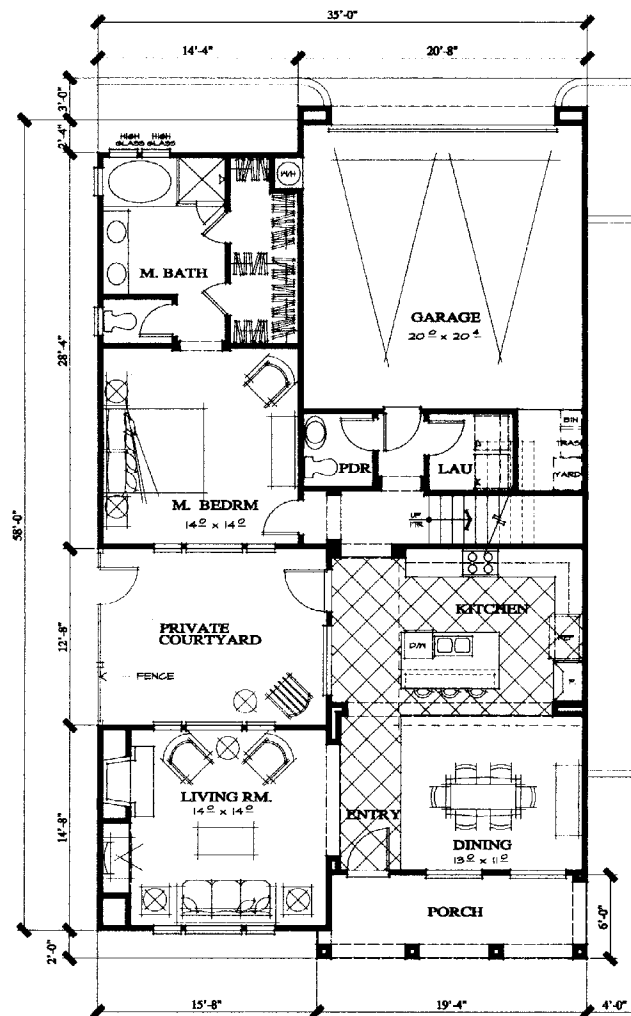
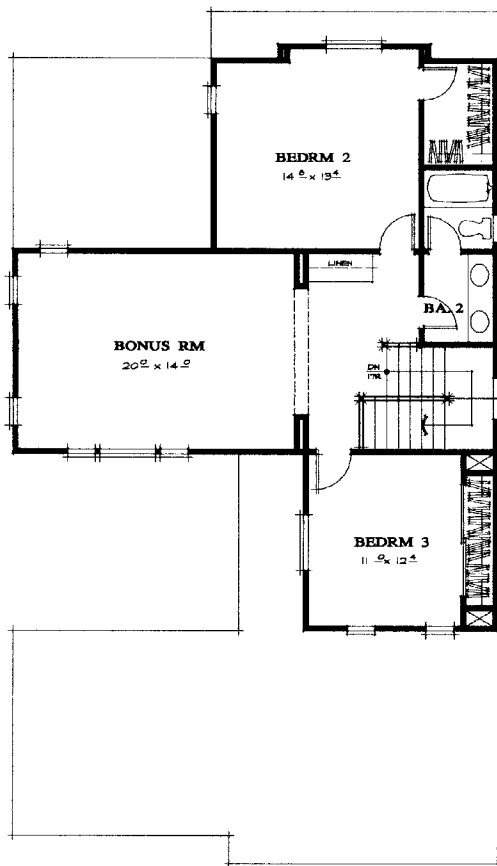


PLAN 4-A ELEVATIONS
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"



134-04079



ELEV. - B

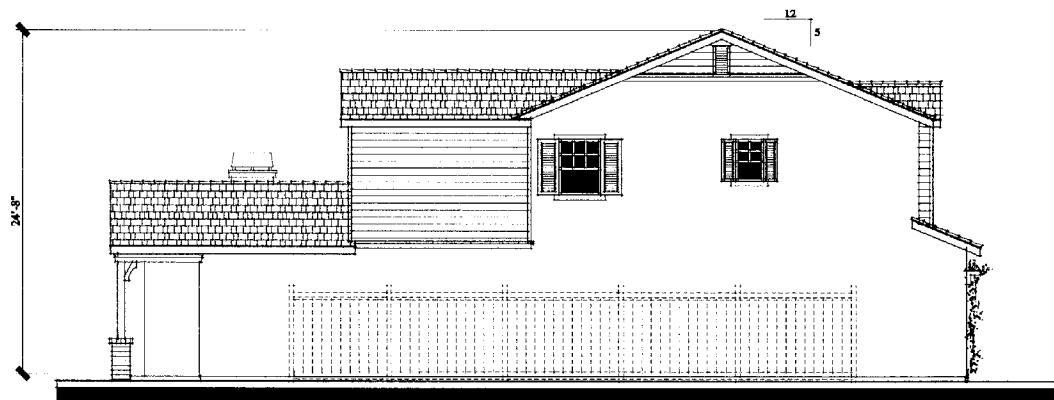


ELEV. - C

PLAN 5 • 2,177 SQ. FT.
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

BASSENIAN
LACONI
Architects and Land Planning
8001 Orchard Dr. Suite 100
Hempstead Beach, CA 94020-0700
Telephone 848-080-0100

134-04079



RIGHT



FRONT



LEFT



REAR

PLAN 5-A ELEVATIONS
HAYWARD, CALIFORNIA
EDEN SHORES EAST RESIDENTIAL
DUC HOUSING PARTNERS

SCALE: 1/4"=1'-0"





Cover Sheet	A0 - Front / Right - Craftsman - 4 Fls.	A10 - Front / Right - Monterey - 6 Fls.	A20 - Front / Right - Regency - 8 Fls. A
Site Plan	A10 - Left / Rear - Craftsman - 4 Fls.	A20 - Left / Rear - Monterey - 6 Fls.	A30 - Left / Rear - Regency - 8 Fls. A
A1 - Plan 1	A11 - Front / Right - Monterey - 4 Fls.	A21 - Front / Right - Regency - 6 Fls.	A31 - Lower Level - 8 Fls. B
A2 - Plan 1A	A12 - Left / Rear - Monterey - 4 Fls.	A22 - Left / Rear - Regency - 6 Fls.	A32 - Upper Level - 8 Fls. B
A3 - Plan 2	A13 - Front / Right - Regency - 4 Fls.	A23 - Lower Level - 8 Fls. A	A33 - Front / Right - Craftsman - 8 Fls. B
A4 - Plan 2A	A14 - Left / Rear - Regency - 4 Fls.	A24 - Upper Level - 8 Fls. A	A34 - Left / Rear - Craftsman - 8 Fls. B
A5 - Plan 3	A15 - Lower Level - 6 Fls.	A25 - Front / Right - Craftsman - 8 Fls. A	A35 - Front / Right - Monterey - 8 Fls. B
A6 - Plan 3A	A16 - Upper Level - 6 Fls.	A26 - Left / Rear - Craftsman - 8 Fls. A	A36 - Left / Rear - Monterey - 8 Fls. B
A7 - Lower Level - 4 Fls.	A17 - Front / Right - Craftsman - 6 Fls.	A27 - Front / Right - Monterey - 8 Fls. A	A37 - Front / Right - Regency - 8 Fls. B
A8 - Upper Level - 4 Fls.	A18 - Left / Rear - Craftsman - 6 Fls.	A28 - Left / Rear - Monterey - 8 Fls. A	A38 - Left / Rear - Regency - 8 Fls. B

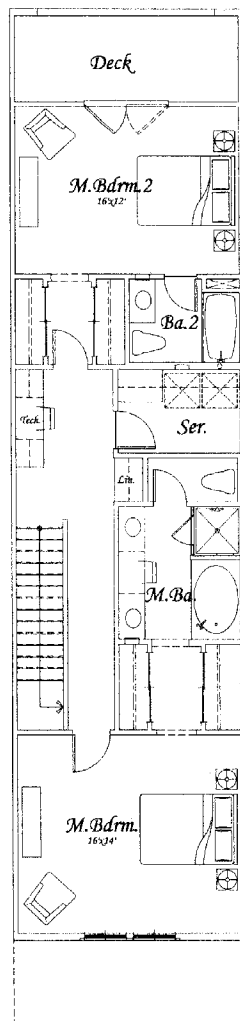
HAYWARD 11 AC SITE *Hayward, California* *DUC HOUSING PARTNERS, INC.*

PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE

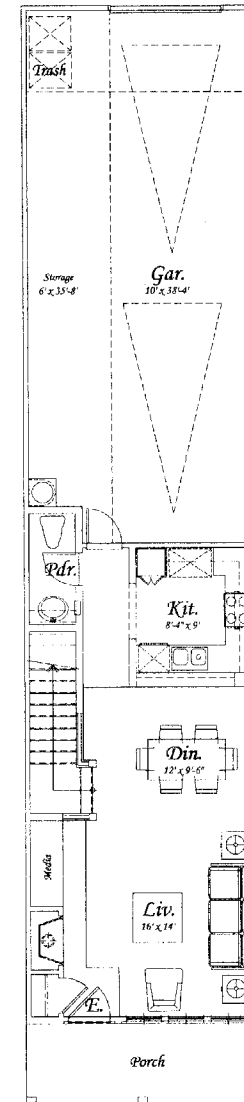
September 15, 2004
2004111.00



W
WILLIAM HEZMALHACH
ARCHITECTS, INC.
 2015 HAYWARD RD. SUITE 200 PLEASANTON CA 94588-0077
 925 463 1700 fax 925 463 1705
 200 N. MICHIGAN AVE. SUITE 2000 SALT LAKE CITY UT 84103-0447
 801 250 0877 www.hezmalhach.com fax 801 250 1829



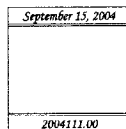
UPPER LEVEL
939 SF.



LOWER LEVEL
569 SF.

PLAN 1
2 BR. / 2.1/2 BA.
TOTAL : 1,508 SF.

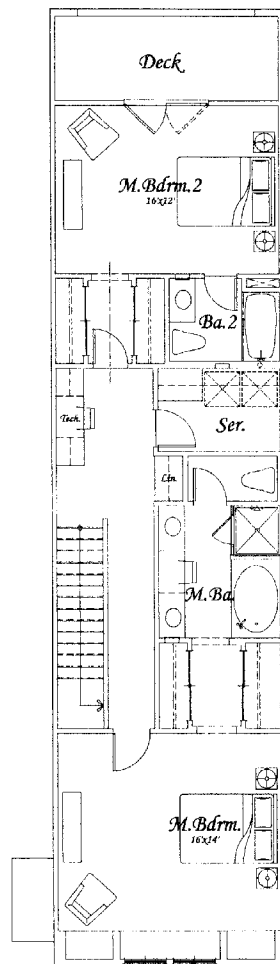
HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.



PROGRESS SET. SQ.FT. / FOOTPRINT SUBJECT TO CHANGE

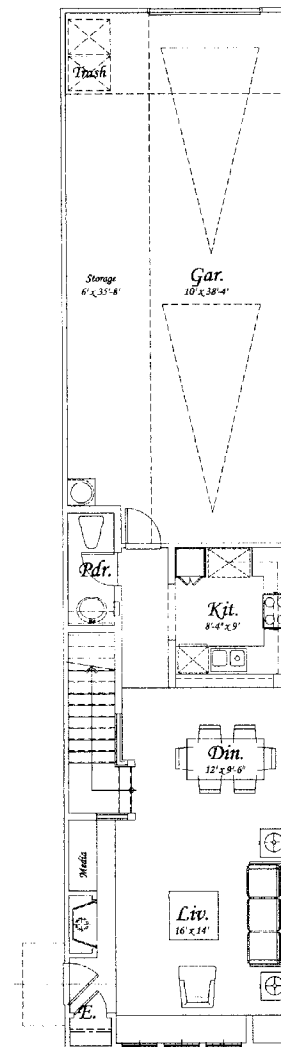
W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3075 HOPKINSON BLVD. SUITE 205 PLEASANTON CA 94566-8027
925 463 1700 FAX 925 463 1725
2800 REDWOOD AVE. SUITE 200 SAN ANTONIO CA 78201-9941
949 250 0827 www.hezmalhalch.com fax 949 250 1028

A1



UPPER LEVEL
939 SF.

PLAN 1A
2 BR. / 2.1/2 BA.
TOTAL : 1,508 SF.



LOWER LEVEL
569 SF.

September 15, 2004
2004111.00

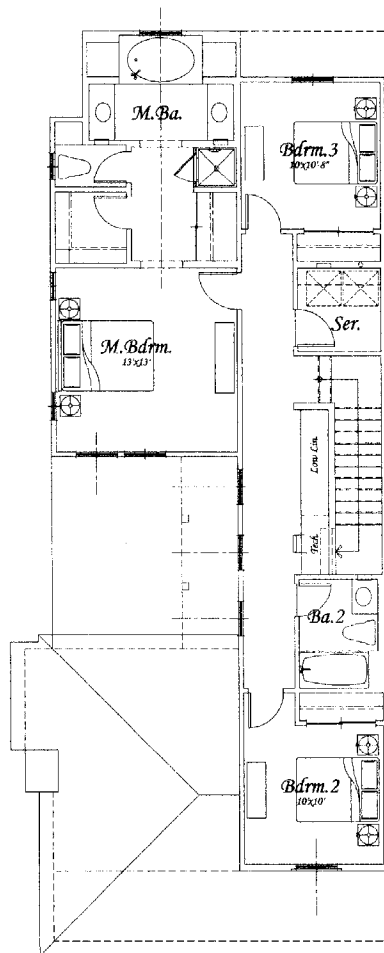
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HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

PROGRESS SET, SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

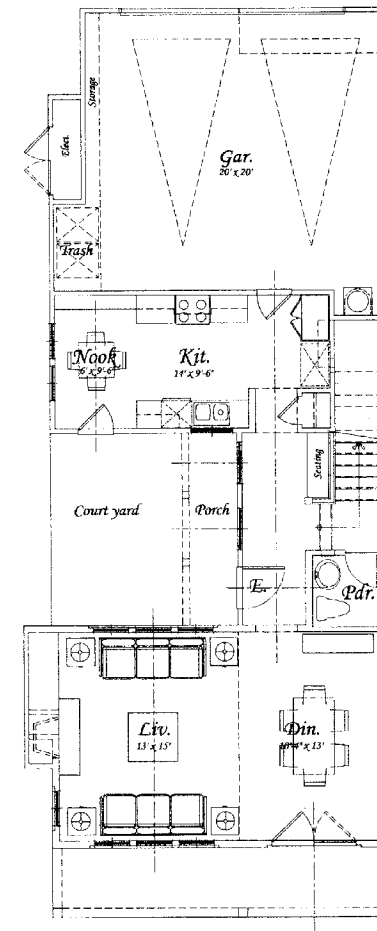
W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3015 HOPKINS RD. SUITE 200 PLACENTIA, CA 92669-4927
951 483 1700 fax 951 483 1725
300 WILSON AVE. SUITE 200 SAN JUAN CA 92050-6643
949 252 0027 www.wheharchitects.com fax 949 252 1328

A2



UPPER LEVEL
936 SF.

PLAN 2
3 BR. / 2.1/2 BA.
TOTAL : 1,696 SF.



LOWER LEVEL
760 SF.

September 15, 2004
2004111.00

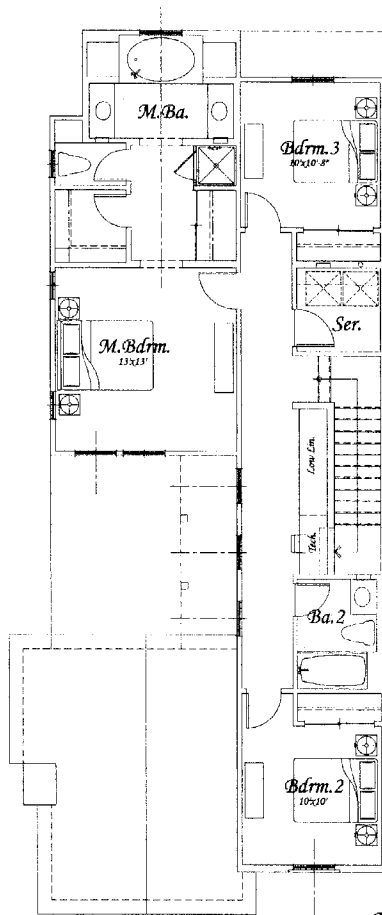


HAYWARD 11 AC SITE Hayward, California DUC HOUSING PARTNERS, INC.

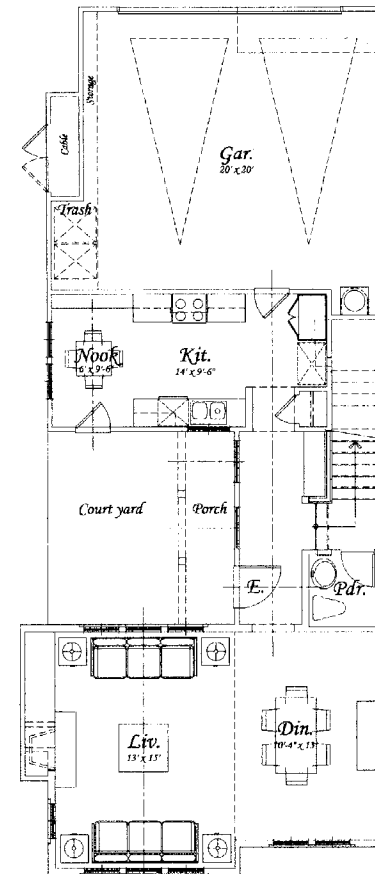
PROGRESS SET. SQ. FT. / FOOTPRINTS. SUBJECT TO CHANGE.

W
WILLIAM HEZMALHALCH
ARCHITECTS - INC.
1875 HOPKINS RD. SUITE 205 PLEASANTON CA 94567
925 463 1700 fax 925 463 1725
2800 REDWOOD AVE. SUITE 202 SANITIA CA 94578-0440
925 220 9827 www.aharchitects.com fax 925 220 1529

A3



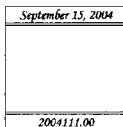
UPPER LEVEL
936 SF.



LOWER LEVEL
760 SF.

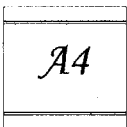
PLAN 2A
3 BR. / 2.1/2 BA.
TOTAL : 1,696 SF.

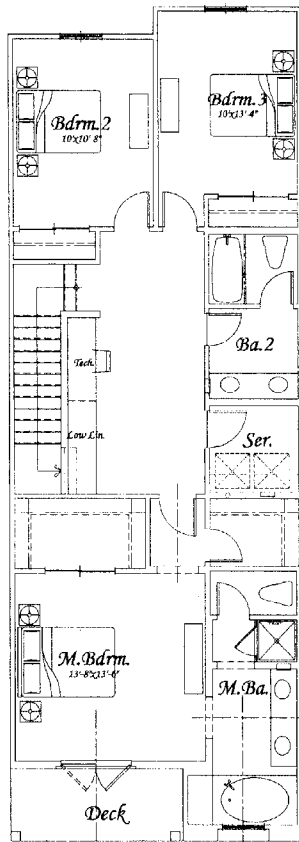
HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.



PROPOSED SITE, SCALE, FOOTPRINTS, SUBJECT TO CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3075 HOPKINS RD. SUITE 201 PLEASANTON, CA 94588-8527
(925) 465-1700 FAX (925) 465-1725
2000 RICHMOND LANE SUITE 200 SANTA ANA, CA 92705-6043
(949) 250-0007 www.hezmalhalch.com Fax (949) 250-1829

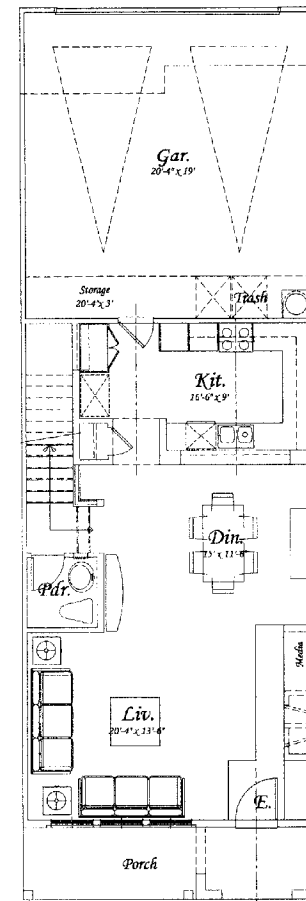




UPPER LEVEL
1095 SF.

PLAN 3
3 BR. / 2.1/2 BA.
TOTAL : 1,848 SF.

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.



LOWER LEVEL
753 SF.

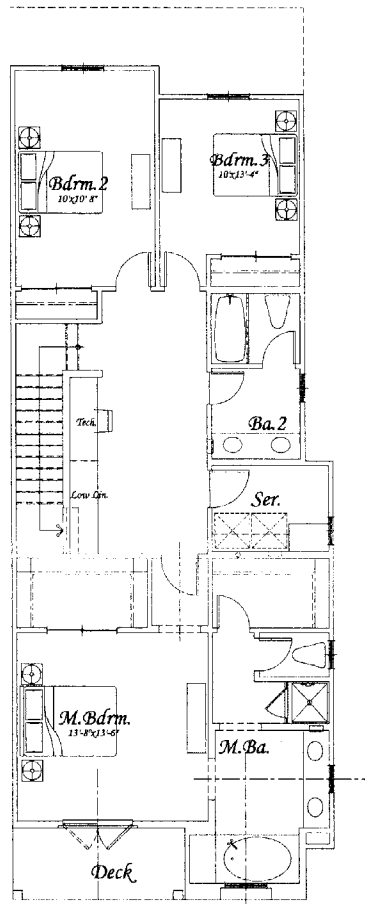
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September 15, 2004
2004111.00



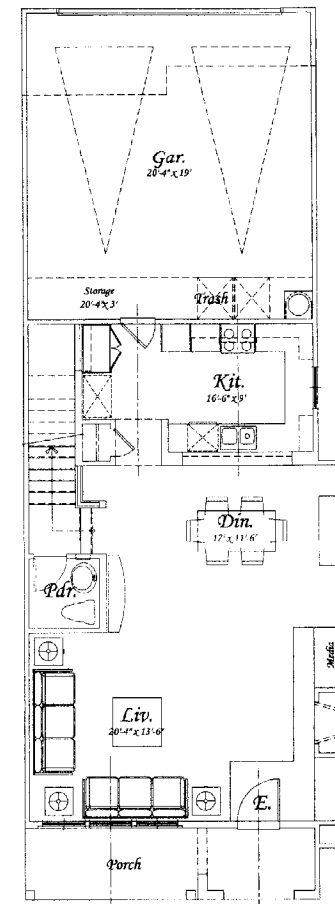
W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3475 HOPKINS RD. SUITE 205 PLEASANTON CA 94588-0207
925 468 1700 FAX 925 468 1725
2860 BISHOP AVE. SUITE 200 SAN ANTONIO CA 78205-9643
940 250 0077 www.aharchitects.com Fax 940 250 1329

A5



UPPER LEVEL
1148 SF.

PLAN 3A
3 BR. / 2.1/2 BA.
TOTAL : 1,952 SF.



LOWER LEVEL
804 SF.

September 15, 2004
2004111.00

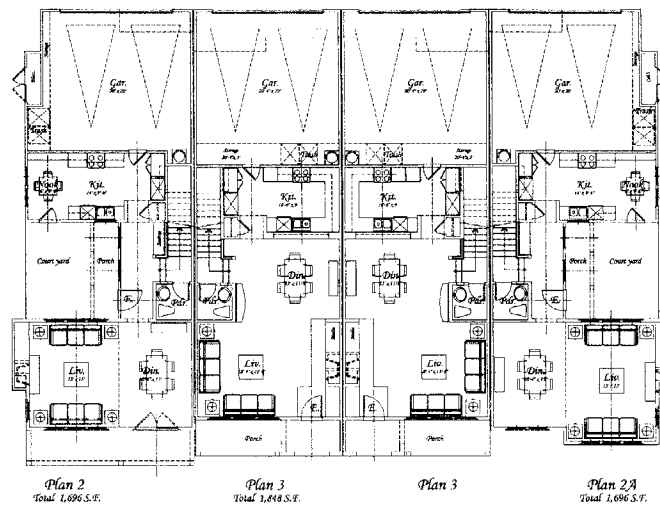


HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

PROGRESS SHEET. SCALE / FOOTPRINT SUBJECT TO CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3875 HOPKINS RD. SUITE 102 PLEASANTON CA 94588-0127
925 483 1700 fax 925 483 1703
2800 RIVERVIEW AVE. SUITE 200 SANITA RIVER CA 92078-0543
949 252 0067 www.whezmarch.com fax 949 252 1529

A6



LOWER LEVEL
BUILDING FLOOR PLAN (4 PLEX)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

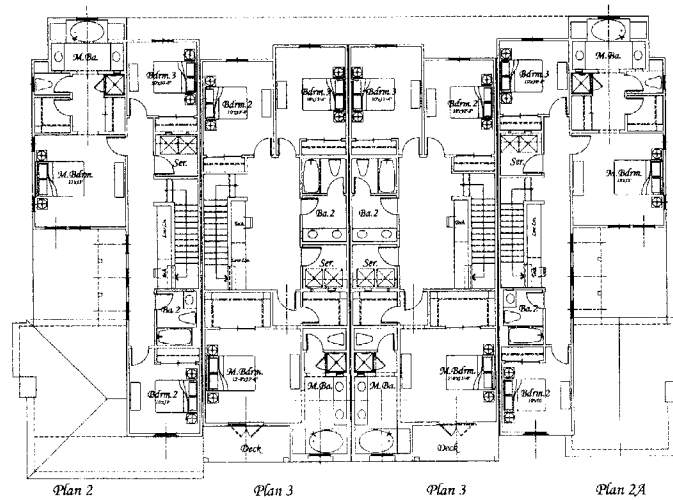
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2004111.00

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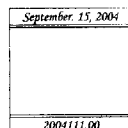
W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3875 HOPKINS RD. SUITE 200 PLEASANTON CA 94588-4027
925 462 1700 fax 925 462 1726
7866 RIVERMILL AVE. SUITE 200 SAN ANTONIO CA 78249-6543
949 252 0877 www.whezharch.com fax 949 252 1029

A7



UPPER LEVEL
BUILDING FLOOR PLAN (4 PLEX)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.



PROGRESS SET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3075 HOPKINS RD. SUITE 205 PLEASANTON CA 94588-8827
925-463-1700 Fax 925-463-1725
2800 HILLWAY, SUITE 200 SANTA ANA CA 92705-9945
949-250-0807 www.wheharchitects.com Fax 949-250-1529

A8

Asphalt Shingle Roof

Stone Veneer



Decorative Outlookers

Exposed Rafter Tails

Vinyl Window w/Foam Trim

Exterior Stucco

Louver Door (Electrical)

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RIGHT 4 PLEX

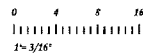
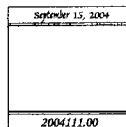


FRONT 4 PLEX

CRAFTSMAN

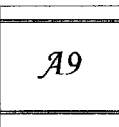
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PROGRESS SET, SHEET / FOOTPRINT, SUBJECT TO CHANGE



HAYWARD 11 AC SITE
Hayward, California
DVC Housing Partners, Inc.

**WILLIAM HEZMALHALCH
ARCHITECTS, INC.**
3015 HOPKINS RD., SUITE 200 PLEASANTON, CA 94566-8827
925-463-1700 Fax 925-453-1700
2060 REDHILL AVE., SUITE 200 SANTA ANA, CA 92705-5543
949-250-0807 www.hezmalhalch.com Fax 949-250-1529



Asphalt Shingle Roof

Lower Door (Electrical)



Exposed Rafter Tails

Vinyle Window w/Foam Trim

Exterior Stucco

Stone Veneer

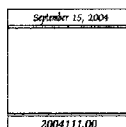
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LEFT 4 PLEX



REAR 4 PLEX
CRAFTSMAN

PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

HAYWARD 11 AC SITE
Hayward, California
DVC Housing Partners, Inc.

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3075 HAYWARD RD. SUITE 200 PLEASANTON CA 94566-6527
925-465-1700 FAX 925-465-1705
2005 FREDERICK AVE. SUITE 200 SANTA ANA CA 92705-6247
949-292-0927 www.whezmhalch.com FAX 949-292-1528

A10



RIGHT 4 PLEX



FRONT 4 PLEX

MONTEREY

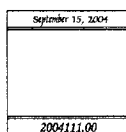
HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

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PROGRESS SET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
feet
1" = 3/16"



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ARCHITECTS, INC.
3015 HOPKINSON RD. SUITE 200 PLEASANTON, CA 94566-9627
925 463 1700 fax 925 463 1705
2000 REDWALL AVE. SUITE 200 SANTA ANA, CA 92706-0643
949 233 0007 www.hezmalhalch.com fax 949 233 1025

A11

Asphalt Shingle Roof

Louver Door (Electrical)



Exterior Stucco
Exposed Rafter Tails
Decorative Shutters
Vinyl Window w/Foam Trim

Brick Veneer

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LEFT 4 PLEX



REAR 4 PLEX
MONTEREY

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS SET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1" = 3/16"



WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3000 HOPKINS RD., SUITE 200 PLEASANTON, CA 94588-8027
925 463 1770 fax 925 463 1725
3000 HEZMALHALCH RD., SUITE 200 SANTA ANA, CA 92706-6665
949 266 9557 www.williamh.com fax 949 266 1520

A12



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RIGHT 4 PLEX



FRONT 4 PLEX

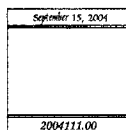
REGENCY

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS SHEET. SQ. FT. / FOOTING(S) SUBJECT TO CHANGE.



WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3075 HOPKINS RD. SUITE 200 PLEASANTON, CA 94566-1001
925 462 1700 FAX 925 462 1705
3000 FREEMAN AVE. SUITE 200 SAN ANTONIO, TX 78264-6643
281 250 0807 www.hezmalhalch.com Tel 281 250 1529

A13



LEFT 4 PLEX

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REAR 4 PLEX
REGENCY

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

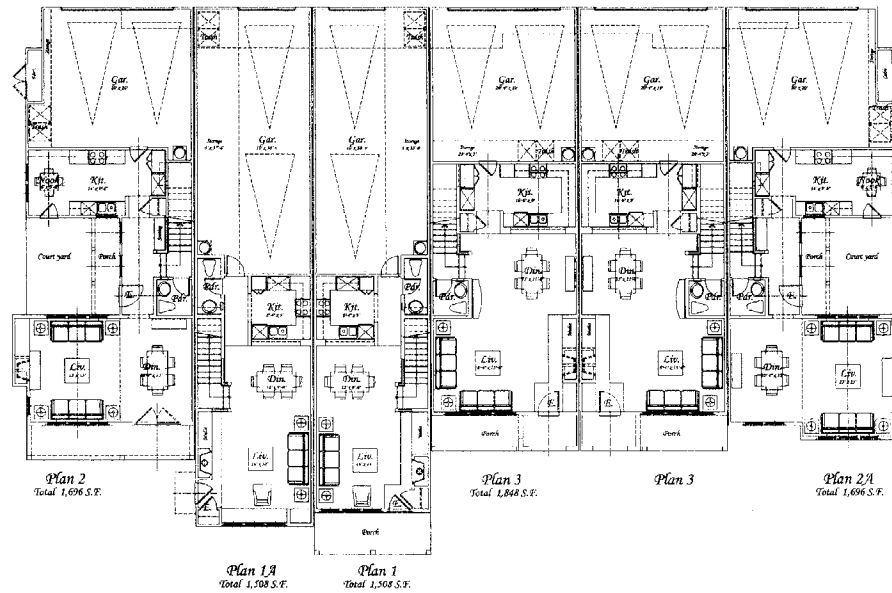
PROGRESS SET: SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1"=3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3875 HOPKINS RD. SUITE 200 PLEASANTON CA 94588-8827
925 465 1720 fax 925 465 1725
2000 REDWOOD AVE. SUITE 200 SANFRA ANA CA 94705-8543
949 250 0807 www.hezmalhalch.com fax 949 250 1559

A14



LOWER LEVEL
BUILDING FLOOR PLAN (6 PLEX)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

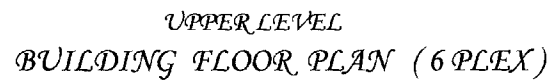
September 15, 2004
20041111.00

0 8 16

PREPARED BY: SGP/PC / WORKPRINT SUBJECT TO CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3875 HOPKINS RD. SUITE 200 PLEASANTON CA 94588-2527
925 462-1770 FAX 925 462-1775
2865 REDWOOD AVE. SUITE 200 SANALBA CA 94568-0463
916 255-0057 www.wheharch.com fax 916 255-1109

A15



HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

A16

Asphalt Shingle Roof

Recessed Stucco

Wood Post

Wood Railing

Cast Stone Veneer

Decorative Lattice

Exposed Rafter Tails

Triangular Knee Brace

Vinyle Window w/Foam Trim

Exterior Stucco

Louver Door (Electrical)

RIGHT 6 PLEX

© 2004 WILLIAM HEZMALHALCH ARCHITECTS, INC.



FRONT 6 PLEX

CRAFTSMAN

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS SET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3675 HOPKINS RD. SUITE 205 PLEASANTON CA 94566-9827
925-463-1700 FAX 925-463-1702
2880 HEZMAL AVE. SUITE 205 SANTA ANA CA 92705-6640
949-253-0817 www.hezmalhalch.com Fax 949-253-1529

A17

Asphalt Shingle Roof

Louver Door (Electrical)



LEFT 6 PLEX

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REAR 6 PLEX
CRAFTSMAN

PROGRESS SHOT: SCALE/FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1" = 5/16"

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3575 HOPKINS RD. SUITE 125 PLEASANTON, CA 94588-8827
925 465 1700 FAX 925 465 1705
3800 REDFALL AVE. SUITE 200 SANITA, CA 92708-6442
949 252 0807 www.ahparchitects.com Fax 949 280 1928

A18

Asphalt Shingle Roof

Wood Post

Wood Railing

Brick Veneer

Exposed Rafter Tails

Vinyl Window w/Foam Trim
Exterior Stucco

Louver Door (Electrical)



RIGHT 6 PLEX

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FRONT 6 PLEX

MONTEREY

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS SET. SCALE / PRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1" = 3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3875 HOPKINS RD. SUITE 200 PLEASANTON CA 94588-9827
925-461-1700 Fax 925-451-1705
2860 REDHILL AVE. SUITE 200 SANTA ANA CA 92705-0843
949-202-0907 www.hezmalhalch.com Fax 949-251-1259

A19

Asphalt Shingle Roof

Louver Door (Electrical)



Brick Veneer

Exposed Rafter Tails

Decorative Shutters

Vinyl Window w/Foam Trim

Exterior Stucco

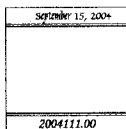
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LEFT 6 PLEX



REAR 6 PLEX
MONTEREY

PROGRESS SET. SCALE / FOOTPRINTS SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

WH
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
2015 HAYWARD RD. SUITE 205 PLEASANTON, CA 94566
925 463 1700 FAX 925 463 1705
2000 RED HILL AVE. SUITE 200 SAN JUAN CA 92070-8845
949 280 0817 www.williamhezmaharch.com Tel 949 280 1520

A20

Asphalt Shingle Roof

Decorative Cupola
Foam Trim With Dentile

Decorative Brace
Wood Post
Metal Railing

Vinyl Window w/Foam Trim

Exterior Stucco

Louver Door (Electrical)

© 2004 WILLIAM HEZMALHALCH ARCHITECTS, INC.

RIGHT 6 PLEX



FRONT 6 PLEX

REGENCY

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS SET. SQ.FT./FOOTPRINT SUBJECT TO CHANGE

September 15, 2004

0 4 8 16
1" = 3/16"

20041111.00



WILLIAM HEZMALHALCH
ARCHITECTS, INC.
304 HAYWARD RD. SUITE 200 PLEASANTON CA 94566-8027
937 463 1700 FAX 937 463 1705
260 REDBELL AVE. SUITE 200 SANTA ANA CA 92705-4043
949 250 0807 www.hezmalhalch.com fax 949 250 1009

A21

Asphalt Shingle Roof

Louver Door (Electrical)



Decorative Cupola

Foam Trim With Dentile

Decorative Brace

Wood Post

Metal Railing

LEFT 6 PLEX

© 2004 WILLIAM HEZMALHALCH ARCHITECTS, INC.

Decorative Lattice



REAR 6 PLEX
REGENCY

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

ARCHITECTS' SHEET, SQUARE FOOTPRINTS, SUBJECT TO CHANGE

September 15, 2004

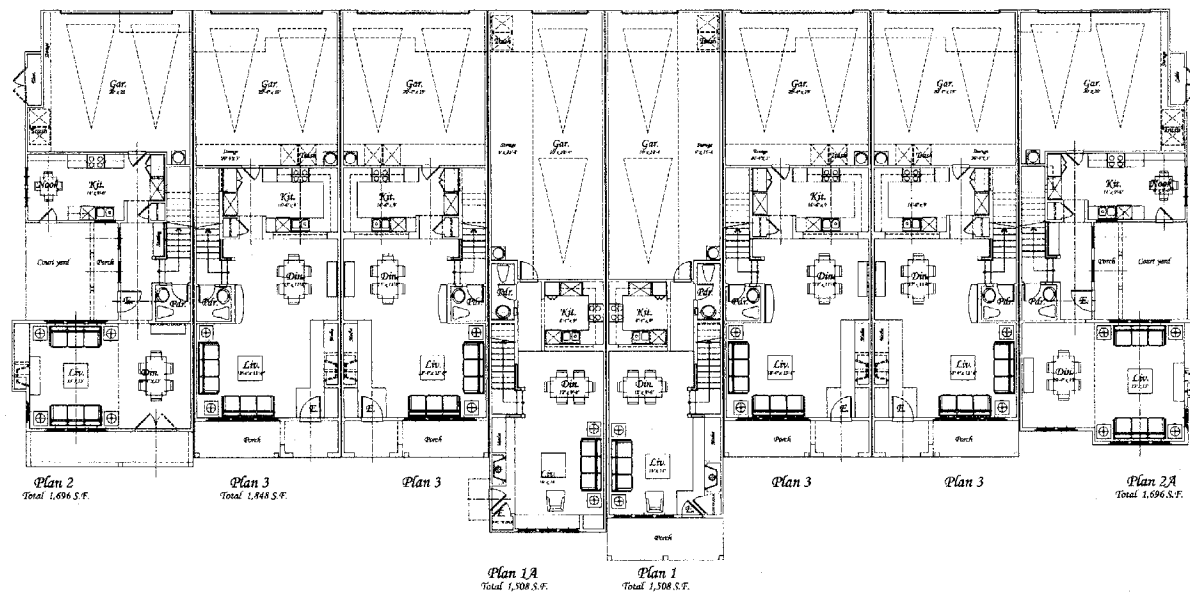
0 4 8 16
1" = 3/16"

2004111.00



**WILLIAM HEZMALHALCH
ARCHITECTS, INC.**
3075 HOPKINS RD., SUITE 300 PLEASANTON, CA 94566-8527
(925) 462-1700 FAX (925) 462-1725
3960 HEZMALHALCH, SUITE 200 SAN JOSE, CA 95128-6463
(408) 287-0817 www.hezmalhalch.com fax (408) 287-1528

A22



LOWER LEVEL
BUILDING FLOOR PLAN (8 PLEX-A)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

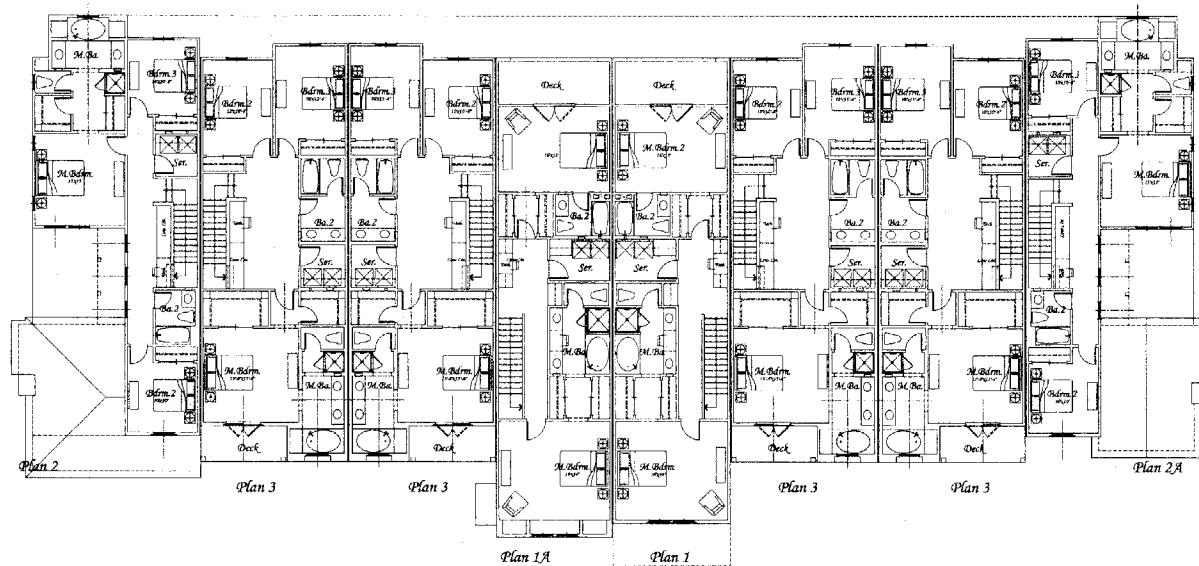
PROGRESS DET. SCALE / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
2004111.00

0 4 16
1"=16'

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3875 HOPKINS RD., SUITE 305 PLEASANTON CA 94566-4527
925 463 1700 fax 925 463 1726
1800 HETALL AVE. SUITE 300 SANTA ANA CA 92706-6045
949 250 0007 www.wheharch.com fax 949 250 1525

A23



UPPER LEVEL
BUILDING FLOOR PLAN (8 PLEX-A)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

September, 15, 2004
2004111.00

0 1 16
1/8" = 1'-0"

PROGRESS SET. SCHEDULE / FOOTPRINT SUBJECT TO CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3000 HOPKINS RD. SUITE 200 PLEASANTON CA 94588-8027
925 462 1100 FAX 925 462 1776
2800 REDWELL AVE. SUITE 200 SAN ANTONIO CA 78264-6643
847 250 0867 www.hezmalhalch.com fax 847 250 5029

A24



RIGHT 8 PLEXA

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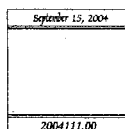


FRONT 8 PLEXA

CRAFTSMAN

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PROGRESS SET. SCALE / FOOTPRINTS SUBJECT TO CHANGE



0 4 8 16
1" = 5/16"

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3075 HOPKINSON RD. SUITE 200 PLEASANTON, CA 94567
925 463 1700 fax 925 463 1706
3962 REDWOOD AVE. SUITE 200 SAN FRANCISCO, CA 94122-5045
415 255 1007 www.hezmalhalch.com fax 415 255 1009

A25

Asphalt Shingle Roof

Louver Door (Electrical)



Exposed Rafter Tails

Vinyl Window w/ Foam Trim

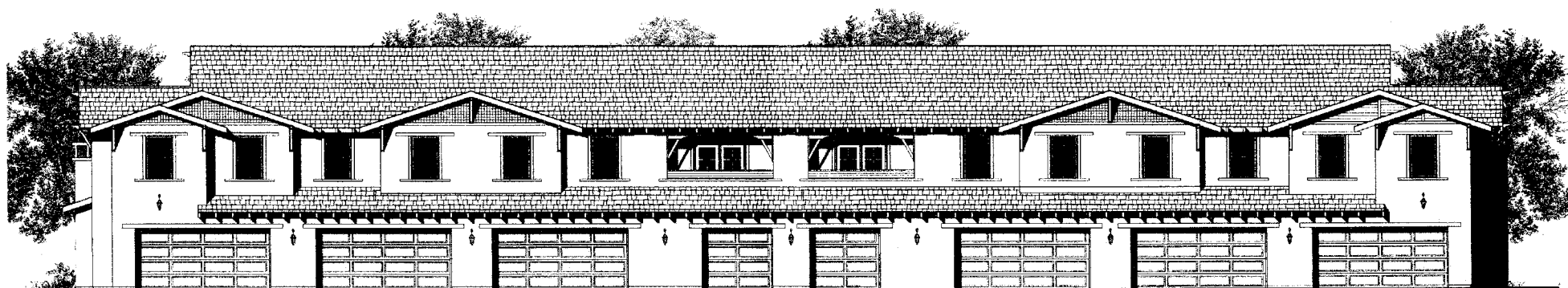
Exterior Stucco

Wood Post's & Railing

Brick Veneer

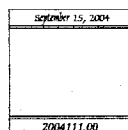
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LEFT 8 PLEX A



REAR 8 PLEX A
CRAFTSMAN

PROGRESS SET: SQ. FT. / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
200 HOPKINS RD. SUITE 200 PLEASANTON CA 94566-8027
925 461 1720 fax 925 461 1725
2000 HETZELL AVE. SUITE 200 SANTA ANA CA 92706-6642
949 250 0807 www.hezmalhalch.com fax 949 250 1529

A26

Asphalt Shingle Roof

Wood Post

Wood Railing

Brick Veneer

Exposed Rafter Tails

Vinyle Window w/Foam Trim

Exterior Stucco

Lower Door (Electrical)

RIGHT 8 PLEX A

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FRONT 8 PLEX A

MONTEREY

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PROGRESS SET. SIZE / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
2004111.00

0 4 8 16
 1" = 3/16"

HAYWARD 11 AC SITE
 Hayward, California
 DUC Housing Partners, Inc.



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 ARCHITECTS, INC.
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 2800 HEZMALHALCH AVE. SUITE 200 SANTA ANA CA 92705-0044
 949-259-2007 www.hezmalhalch.com fax 949-259-1200

A27



LEFT 8 PLEXA

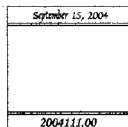
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REAR 8 PLEXA
MONTEREY

HAYWARD 11 AC SITE
Hayward, California
DVC Housing Partners, Inc.

PROGRESS DET. SCALE / FOOTING NOT SUBJECT TO CHANGE



0 4 8 16
1"=3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3070 HAYWARD RD., SUITE 305 PLEASANTON CA 94588-8837
925 465 1770 FAX 925 465 1725
2862 REDHILL AVE., SUITE 201 SANCTA ANA CA 92705-5545
949 292 0877 www.hezmalhalch.com Fax 949 292 1828

A28



RIGHT 8 PLEX A



FRONT 8 PLEX A

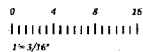
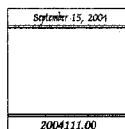
REGENCY

HAYWARD 11 AC SITE

Hayward, California

DVC Housing Partners, Inc.

PROGRESS SET, SQ. FT. / FOOTPRINT SUBJECT TO CHANGE



W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
 3075 HOPKINS RD., SUITE 200 PLEASANTON, CA 94566-8077
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 949 261 0007 www.wheharch.com Fax 949 250 1328

A29

Asphalt Shingle Roof

Louver Door (Electrical)



Brick Veneer

Lap Siding

Decorative Shutters

Vinyl Window w/Foam Trim

Exterior Stucco

LEFT 8 PLEX A

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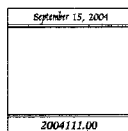
Decorative Lattice



REAR 8 PLEX A
REGENCY

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

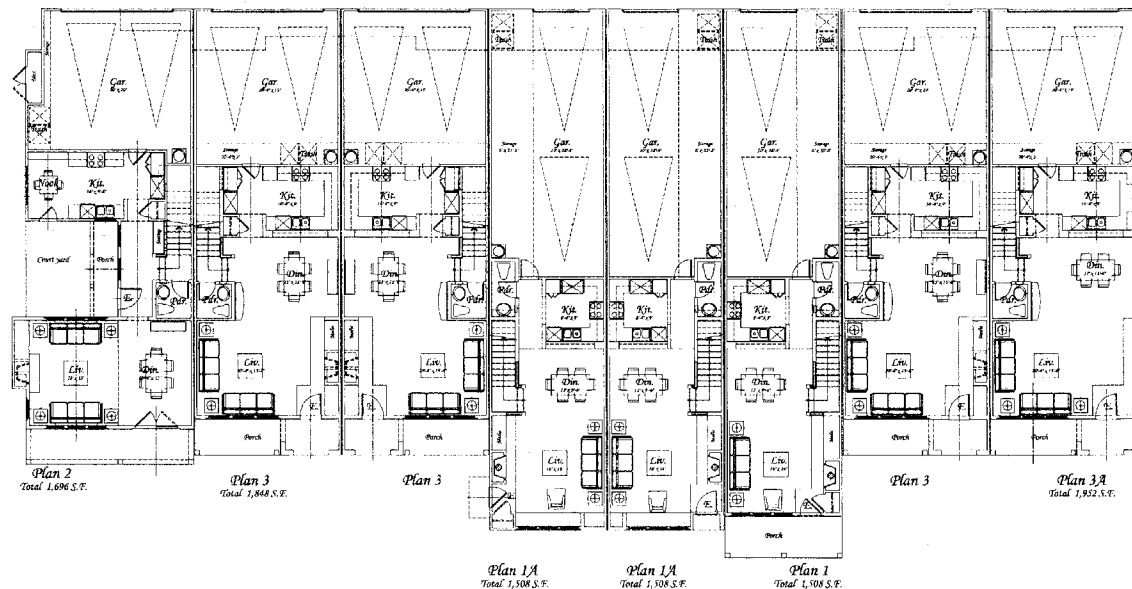
PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3870 HAYWARD RD. SUITE 200 PLEASANTON CA 94588-9027
925 463 1700 Fax 925 463 1725
2000 HEZMALHALCH, SUITE 200 SANITA AVE. CA 94576-8443
949 200 0007 www.hezmalhalch.com Fax 949 200 1500

A30



LOWER LEVEL
BUILDING FLOOR PLAN (8 PLEX-B)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

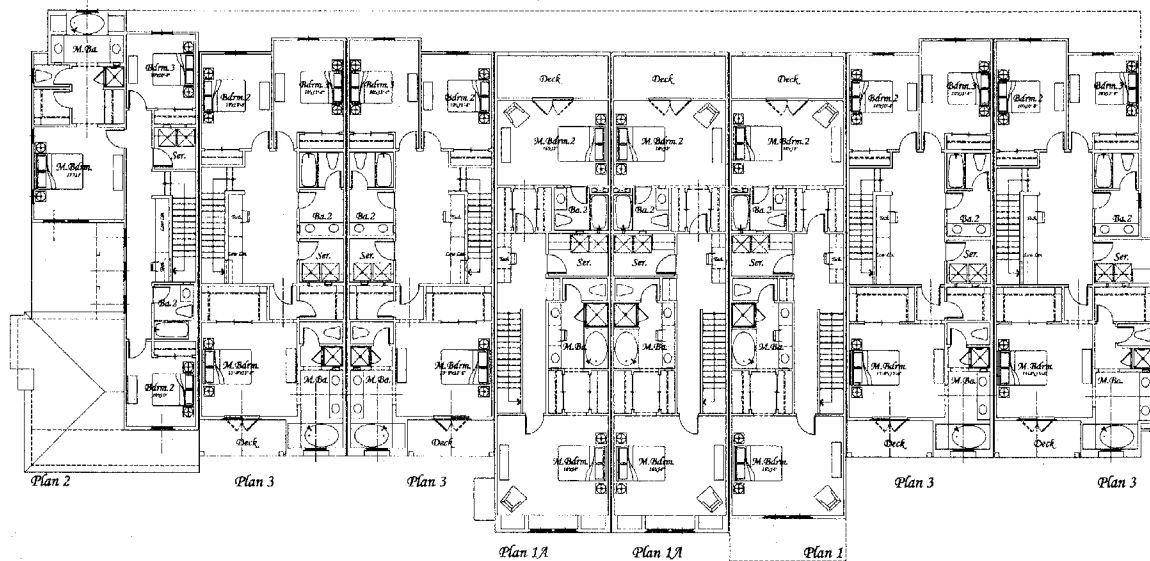
September 15, 2004
2004111.00

0 4 16
feet

PROGRESS SHOWN / FOOTING PART SUBMITTED CHANGE

W
WILLIAM HEZMALHALCH
ARCHITECTS INC.
3075 HAYWARD RD. SUITE 205 PLEASANTON CA 94588-8057
925 483 1720 fax 925 483 1728
2860 HAYWARD AVE. SUITE 200 SAN ANTONIO CA 78261-6642
281 250 0807 www.aharchitects.com fax 281 250 1529

A31



UPPER LEVEL
BUILDING FLOOR PLAN (8 PLEX-B)

HAYWARD 11 AC SITE
Hayward, California
DUC HOUSING PARTNERS, INC.

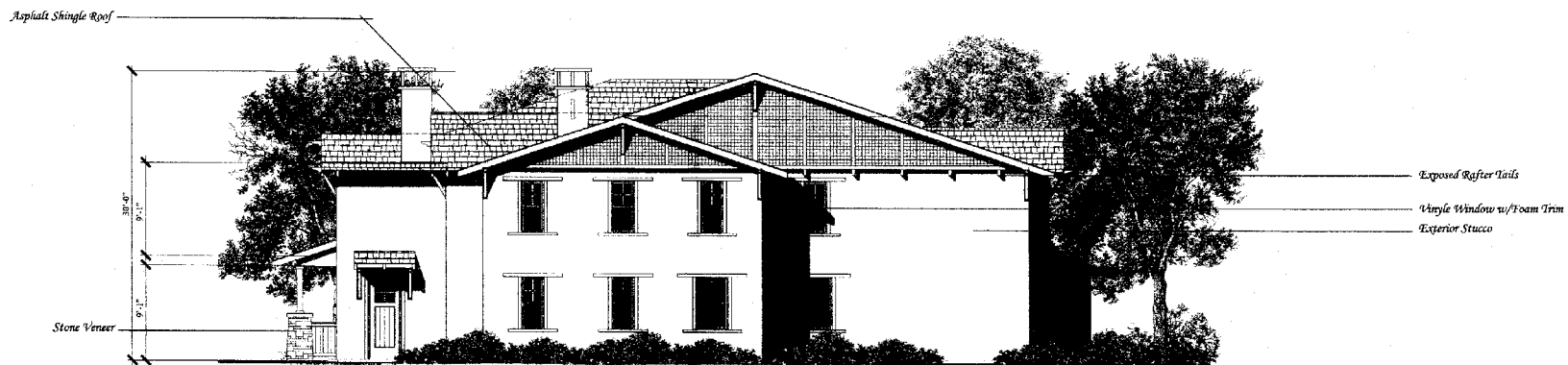
PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
2004111.00

0 10 20

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WILLIAM HEZMALHAICH
ARCHITECTS INC.
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3860 REDHALL AVE. SUITE 202 SANITANA CA 94705-0943
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A32



RIGHT 8 PLEX B

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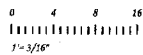
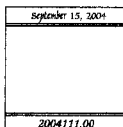


FRONT 8 PLEX B

CRAFTSMAN

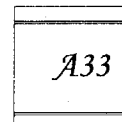
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PROGRESS SHOT. SCALE / FOOTING NOT SUBMITTED CHANGE



HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

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800 HEZMALHALCH SUITE 200 DAVIS, CA 95763-9943
916 261 0067 www.hezmalhalch.com Fax 916 261 1030



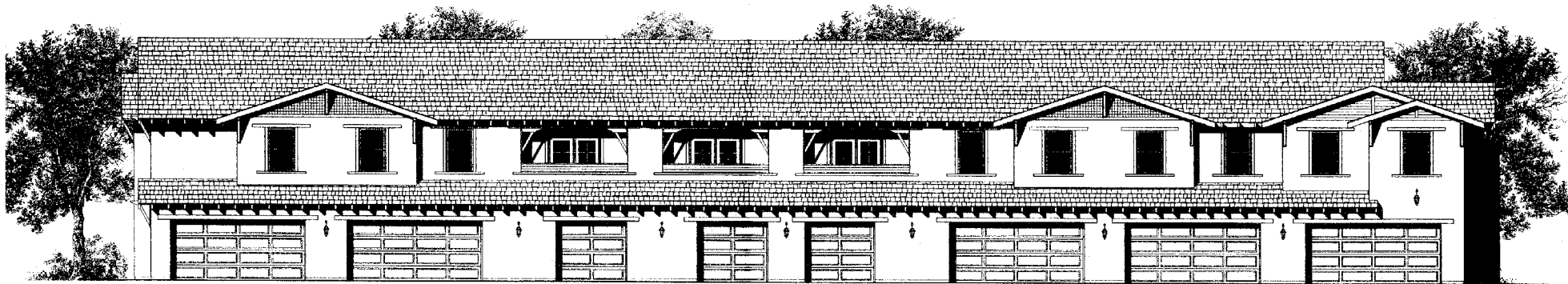
Asphalt Shingle Roof

Lower Door (Electrical)



LEFT 8 PLEX B

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REAR 8 PLEX B
CRAFTSMAN

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

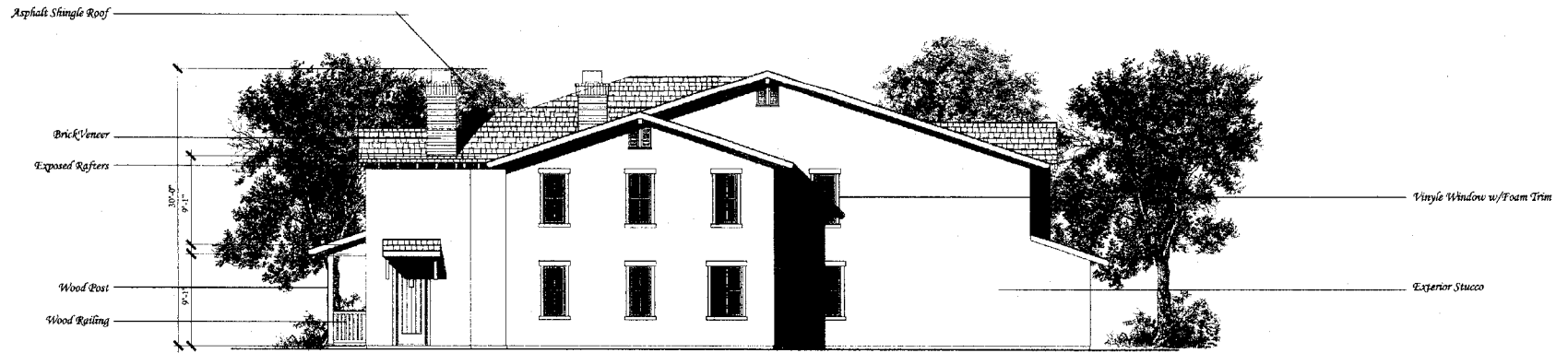
PROGRESS SET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1" = 3/16"

W
WILLIAM HEZMALHALCH
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RIGHT S PLEX B

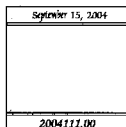


FRONT S PLEX B

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PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.



0 4 8 16
1" = 3/16"

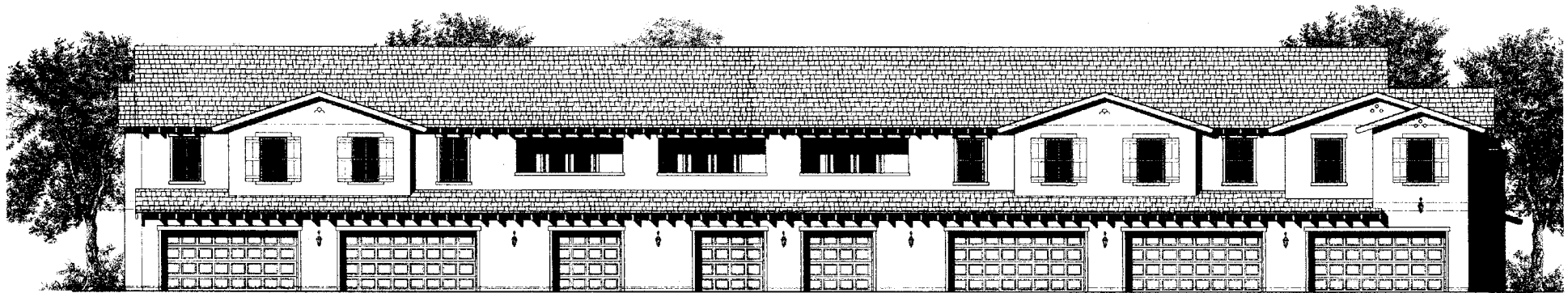
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925 465 1700 Fax: 925 465 1728
2800 REDWOOD AVE. SUITE 200 SAN FRANCISCO CA 94116-5643
415 255 0917 www.wheharchitects.com Tel: 415 255 1539

A35



LEFT 8 PLEX B

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REAR 8 PLEX B
MONTEREY

HAYWARD 11 AC SITE
Hayward, California
DUC Housing Partners, Inc.

PROGRESS DET. SQ. FT. / FOOTPRINT SUBJECT TO CHANGE

September 15, 2004
20041111.00

0 4 8 16
1" = 3/16"

WH
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
3073 HOPKINS RD. SUITE 205 PLEASANTON CA 94566
925 463 1700 fax 925 463 1705
2880 REDHILL AVE. SUITE 200 SANTA ANA CA 92705-8543
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A36



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RIGHT 8 PLEX B



FRONT 8 PLEX B

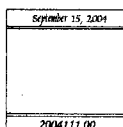
REGENCY

HAYWARD 11 AC SITE

Hayward, California

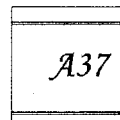
DVC Housing Partners, Inc.

PROGRESS SET. SCALE / FOOTPRINT SUBJECT TO CHANGE



0 4 8 16
1" = 3/16"

W
WILLIAM HEZMALHALCH
ARCHITECTS, INC.
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949 593 0907 www.wheh.com Tel: 949 593 1524



Asphalt Shingle Roof

Louver Door (Electrical)

Brick Veneer

Lap Siding

Decorative Shutters

Vinyl Window w/Foam Trim

Exterior Stucco

LEFT 8 PLEX B

© 2004 WILLIAM HEZMALHALCH ARCHITECTS, INC.

Decorative Lattice

REAR 8 PLEX B
REGENCY

HAYWARD 11 AC SITE

Hayward, California

DUC Housing Partners, Inc.

PROGRESS STEEL / FOOTPRINT / SUBJECT TO CHANGE

September 15, 2004

0 4 8 16
1" = 1/16"

20041111.00



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A38